

STATE OF ILLINOIS
LEGISLATIVE INFORMATION SYSTEM
94th GENERAL ASSEMBLY

TOTAL

Synopsis of Legislation

Legislation Passed Both Houses with Last Action

All legislation through May 13, 2005

HB 00015 Rep. Gary Hannig-Patricia R. Bellock and Patrick J Verschoore
(Sen. Deanna Demuzio)

65 ILCS 5/11-135-3.5 new

Amends the Illinois Municipal Code. Authorizes certain water commissions to: (i) pass ordinances and promulgate rules necessary for the protection of commission property; (ii) prescribe fines and penalties and seek restitution for violations of its ordinances; (iii) pass all ordinances to hire police officers to protect commission property; (iv) enter into intergovernmental police assistance agreements with counties or municipalities; and (v) enter into intergovernmental agreements with any unit of local government in order to carry out the purposes for which the commission was formed.

House Amendment No. 2

Deletes provisions authorizing a water commission (i) to pass ordinances and promulgate rules necessary for the proper management and conduct of the business of the commission; (ii) to prescribe fines and penalties for the violation of commission ordinances; and (iii) to pass ordinances to hire police officers to protect commission property.

May 11 05 H Passed Both Houses

HB 00020 Rep. Suzanne Bassi-Sidney H. Mathias-Lou Lang-Sandra M. Pihos-Mark H. Beaubien, Jr., Jack McGuire, Maria Antonia Berrios, Susana A Mendoza, Jack D. Franks, Patricia R. Bellock and Deborah L. Graham
(Sen. Mattie Hunter-James A. DeLeo-Terry Link, George P. Shadid, Frank C. Watson, Dan Rutherford, Arthur J. Wilhelmi-M. Maggie Crotty-Wendell E. Jones, Edward D. Maloney, Don Harmon, Kathleen L. Wojcik, Dave Syverson, Gary G. Dahl, J. Bradley Burzynski, Pamela J. Althoff and Dan Cronin)

5 ILCS 490/83 new

Amends the State Commemorative Dates Act. Designates the month of November of each year as Alzheimer's Awareness Month.

May 11 05 H Passed Both Houses

HB 00043 Rep. Robert Rita-Patrick J Verschoore-Jack McGuire-John D'Amico
(Sen. Edward D. Maloney)

New Act

Creates the Construction Site Temporary Restroom Facility Act. Provides that the owner of a temporary building or building under construction, not yet occupied for its intended purpose, shall insure that employees working on the construction site have access to restroom facilities located within 300 feet of the entrance of the building under construction and which meet several requirements. Provides that inspectors employed by municipalities and counties may inspect construction sites to insure compliance with the Act. Provides penalties for a violation of the Act. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of HB 43 except: (1) provides that if individual portable units are used, separate toileting facilities are not required for males and females and toileting facilities provided shall comply with the Occupational Safety and Health Administration construction sanitation standards; (2) provides that for non-residential temporary buildings or non-residential buildings, the restroom facilities shall be located within 300 feet of the entrance of the building under construction; and (3) for residential temporary buildings or residential buildings, the restroom facilities shall be made readily available in nearby areas. Effective immediately.

May 11 05 H Passed Both Houses

HB 00116 Rep. Rich Brauer-Jack D. Franks-Ron Stephens-Lisa M. Dugan-Eddie Washington, Brandon W. Phelps, Michael K. Smith and Robert F. Flider
(Sen. Larry K. Bomke-Martin A. Sandoval-Dale E. Risinger)

5 ILCS 375/3 from Ch. 127, par. 523

Amends the State Employees Group Insurance Act of 1971. Allows active duty military personnel to add time in active duty to the time they can be enrolled in school and still be considered a dependent. Effective immediately.

May 11 05 H Passed Both Houses

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HB 00156 Rep. Donald L. Moffitt-Marlow H. Colvin-Mike Bost-Linda Chapa LaVia-Jim Watson, Jerry L. Mitchell, Jim Sacia, Paul D. Froehlich, Sidney H. Mathias, Michael K. Smith, Mike Boland, Thomas Holbrook, Harry Osterman, William B. Black, Patrick J Verschoore, Jack McGuire, William Davis, Robert W. Pritchard, Rosemary Mulligan, Shane Cultra and David Reis
 (Sen. James F. Clayborne, Jr.)

105 ILCS 5/10-20.12b

Amends the School Code. Provides that if a pupil's change of residence is due to the military service obligation of a person who has legal custody of the pupil, then, upon the written request of the person having legal custody of the pupil, the residence of the pupil is deemed for purposes of enrollment, for the duration of the custodian's military service obligation, to be the same as the residence of the pupil immediately before the change of residence caused by the military service obligation. Provides that a school district is not responsible for providing transportation to or from school for a pupil whose residence is determined under these provisions. Effective immediately.

May 11 05 H Passed Both Houses

HB 00172 Rep. Jim Watson-Patrick J Verschoore-Jack McGuire
 (Sen. Deanna Demuzio)

325 ILCS 5/7.14 from Ch. 23, par. 2057.14

Amends the Abused and Neglected Child Reporting Act. Provides that identifying information in indicated reports involving the sexual abuse of a child, the death of a child, or serious physical injury to a child must be retained after the report is indicated or after the subsequent case or report is closed (instead of may be retained longer than 5 years after that time).

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Abused and Neglected Child Reporting Act. Provides that identifying information in indicated reports involving sexual penetration of a child, sexual molestation of a child, sexual exploitation of a child, torture of a child, or the death of a child, as defined by the Department of Children and Family Services in rules, shall be retained for a period of not less than 50 years after the report is indicated or after the subsequent case or report is closed. (Under current law, identifying information in indicated reports involving the sexual abuse of a child or the death of a child may be retained longer than 5 years after the report is indicated or after the subsequent case or report is closed.) Effective immediately.

May 11 05 H Passed Both Houses

HB 00173 Rep. Suzanne Bassi-Sidney H. Mathias-Patricia R. Bellock-Sandra M. Pihos-Rosemary Mulligan, Bob Biggins, Ruth Munson, Jack D. Franks and Linda Chapa LaVia
 (Sen. Carole Pankau)

750 ILCS 28/20

Amends the Income Withholding for Support Act. Provides that the court, at its discretion, may withhold the Social Security Numbers of the child or children from being disclosed in the income withholding notice.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Income Withholding for Support Act. Provides that the income withholding notice shall include the Social Security Number of the obligor (instead of the obligor, obligee, and the child or children included in the order for support).

May 11 05 H Passed Both Houses

HB 00181 Rep. Jim Watson
 (Sen. Deanna Demuzio-Kirk W. Dillard-Martin A. Sandoval)

20 ILCS 2605/2605-575 new

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Authorizes the Department to retain the fingerprint record of a child fingerprinted at a Department data collection location. Requires the permission of the child's parent or guardian and permits retention and use only if the child is later missing or abducted, if an Amber Alert is issued for that child, or if a missing person report is filed for that child. Requires that the Department destroy the record after the child reaches age 18, unless the 18-year-old authorizes retention of the record.

May 11 05 H Passed Both Houses

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HB 00197 Rep. Carolyn H. Krause-JoAnn D. Osmond
(Sen. Adeline Jay Geo-Karis)

215 ILCS 105/7 from Ch. 73, par. 1307

Amends the Comprehensive Health Insurance Plan Act. Provides that a person is not eligible for coverage under the Comprehensive Health Insurance Plan if the person has or later receives benefits or funds from a settlement, judgment, or award resulting from an accident or injury and the remaining amount exceeds \$500,000 (rather than \$100,000).

House Amendment No. 1

Deletes everything. Reinserts the contents of the bill but changes the amount of recovery from an accident or injury that makes a person ineligible for coverage under the Comprehensive Health Insurance Plan Act to over \$300,000 (rather than over \$500,000).

May 11 05 H Passed Both Houses

HB 00203 Rep. Richard P. Myers-Patrick J. Verschoore-Jack McGuire-Jack D. Franks-Linda Chapa LaVia, Michael P. McAuliffe, John A. Fritchey, Wyvetter H. Younge, William Davis, Patricia Bailey, Brandon W. Phelps, Robin Kelly, Deborah L. Graham, Michael K. Smith, John D'Amico and Susana A. Mendoza
(Sen. John M. Sullivan and Pamela J. Althoff-Martin A. Sandoval)

10 ILCS 5/19-13 from Ch. 46, par. 19-13

Amends the Election Code. Provides that a person admitted to a hospital, nursing home, or rehabilitation center (now, hospital) 5 or fewer days before an election is entitled to personal delivery of an absentee ballot. Effective immediately.

May 11 05 H Passed Both Houses

HB 00210 Rep. William Delgado-Patricia R. Bellock-Elizabeth Coulson-Naomi D. Jakobsson-Michelle Chavez, Sandra M. Pihos, Maria Antonia Berrios, Cynthia Soto, John E. Bradley and Marlow H. Colvin
(Sen. Mattie Hunter-Kimberly A. Lightford and M. Maggie Crotty)

20 ILCS 3933/5

Amends the Illinois Early Learning Council Act. Provides that the Council shall act in coordination with the Interagency Nutrition Council when dealing with activities related to nutrition, nutrition education, and physical activity.

May 11 05 H Passed Both Houses

HB 00229 Rep. Robert W. Pritchard-Dan Reitz, Jack D. Franks and Linda Chapa LaVia
(Sen. J. Bradley Burzynski and Pamela J. Althoff)

505 ILCS 5/5 from Ch. 5, par. 1005

Amends the Agricultural Areas Conservation and Protection Act. For purposes of designating an agricultural area, requires that any non-contiguous portion must be within 1.5 miles of the nearest portion of the area.

May 11 05 H Passed Both Houses

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HB 00264 Rep. Jim Watson-Dan Brady-William B. Black
 (Sen. Deanna Demuzio)

765 ILCS 835/9 from Ch. 21, par. 21.2

Amends the Cemetery Protection Act. Provides that a cemetery lot or a mausoleum crypt (instead of just a cemetery lot) may be presumed abandoned if the listed circumstances exist. Effective immediately.

House Amendment No. 1

Adds reference to:

765 ILCS 835/.01 from Ch. 21, par. 14.01

Adds reference to:

765 ILCS 835/1 from Ch. 21, par. 15

Adds reference to:

765 ILCS 835/2 from Ch. 21, par. 16

Adds reference to:

765 ILCS 835/3 from Ch. 21, par. 17

Adds reference to:

765 ILCS 835/4 from Ch. 21, par. 18

Adds reference to:

765 ILCS 835/5 from Ch. 21, par. 19

Adds reference to:

765 ILCS 835/5a from Ch. 21, par. 19a

Adds reference to:

765 ILCS 835/8 from Ch. 21, par. 21.1

Adds reference to:

765 ILCS 835/10 from Ch. 21, par. 21.3

Adds reference to:

765 ILCS 835/12 from Ch. 21, par. 21.5

Adds reference to:

765 ILCS 835/13 from Ch. 21, par. 21.6

Adds reference to:

765 ILCS 835/14 from Ch. 21, par. 21.7

Deletes everything after the enacting clause. Amends the Cemetery Protection Act. Defines "community mausoleum".

Replaces references to "cemetery association" with "cemetery authority". Replaces references to "lot" in some provisions with "interment, entombment, or inurnment right" and in the remaining provisions with "interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium". Raises the fine for violation of the cemetery rules to not less than \$100, nor more than \$500 for each offense (instead of not less than \$5, nor more than \$100 for each offense).

Authorizes the cemetery authority (instead of the board of directors of the society or association) to make by-laws, rules, and regulations for the governing of the cemetery authority, to appoint policemen to protect the cemetery, and to invest funds. Provides that, unless a specific agreement has been entered into designating inviolate rights to a cemetery interment, entombment, or inurnment right, there is a presumption of abandonment if 50 years (instead of 60 years) have passed since the listed actions have been taken.

Makes other changes.

May 11 05 H Passed Both Houses

HB 00270 Rep. Jim Watson-Sidney H. Mathias-Roger Jenisch-Eddie Washington-Michael K. Smith, Brandon W. Phelps, Robert F. Flider, Daniel V. Beiser, Michelle Chavez, Charles E. Jefferson, Elizabeth Coulson, Suzanne Bassi, Dan Reitz, Thomas Holbrook, Ed Sullivan, Jr., Kathleen A. Ryg and Naomi D. Jakobsson
 (Sen. Deanna Demuzio-Jacqueline Y. Collins-Martin A. Sandoval-Adeline Jay Geo-Karis)

35 ILCS 200/15-165

Amends the Property Tax Code. Provides that property up to an assessed value of \$70,000 (now, \$58,000), owned and used exclusively by a disabled veteran, or the spouse or unmarried surviving spouse of the veteran, as a home, is exempt. Effective immediately.

May 11 05 H Passed Both Houses

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HB 00312 Rep. John A. Fritchey-Paul D. Froehlich-Lou Lang-Marlow H. Colvin-Harry Osterman, Mary E. Flowers, Calvin L. Giles, Kevin Joyce, David E. Miller, Ruth Munson, Rosemary Mulligan, Eddie Washington and Richard T. Bradley
 (Sen. Jacqueline Y. Collins-Ira I. Silverstein-Susan Garrett-Jeffrey M. Schoenberg-Mattie Hunter and Kwame Raoul)

105 ILCS 5/27-20.3 from Ch. 122, par. 27-20.3

30 ILCS 805/8.29 new

Amends the School Code. Provides that the required unit of instruction studying the events of the Holocaust shall be expanded to include the study of other events of genocide, including those in Ukraine, Cambodia, Bosnia, Rwanda, and Sudan. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the School Code. Provides that in addition to the unit of instruction studying the events of the Holocaust, the curriculum of every public elementary school and high school shall include a unit of instruction studying other acts of genocide across the globe, including, but not limited to, the Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

May 11 05 H Passed Both Houses

HB 00324 Rep. Robert Rita-Larry McKeon-Linda Chapa LaVia-Donald L. Moffitt-Mike Boland, Patrick J Verschoore and Jack McGuire
 (Sen. William R. Haine and Edward D. Maloney-Larry K. Bomke-Mattie Hunter)

5 ILCS 327/5

5 ILCS 327/10

5 ILCS 327/20

Amends the Organ Donor Leave Act. Provides that the Act applies to all public employers in the State and to all private employers in the State who have 15 or more employees (now, the Act applies only to any branch, department, board, committee, or commission of State government).

House Amendment No. 1

Deletes reference to:

5 ILCS 327/5

Deletes reference to:

5 ILCS 327/10

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Employee Blood Donation Leave Act. Provides that on request, a participating employee of any unit of local government, board of election commissioners, or any private employer in the State who has 50 or more employees may be entitled to blood donation leave with pay of up to one hour to donate blood every 56 days in accordance with appropriate medical standards. Amends the Organ Donor Leave Act. Provides that the donations of blood platelets must be in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other nationally-recognized standards (now, the American Red Cross or other nationally-recognized standards).

House Amendment No. 2

Provides that the purpose of the Act is to provide time off with pay to allow employees of units of local governments, boards of election commissioners, or private employers in the State of Illinois to donate bloodprovide time off with pay to allow employees of units of local governments, boards of election commissioners, or private employers in the State of Illinois to donate blood.

May 11 05 H Passed Both Houses

HB 00373 Rep. Chapin Rose
(Sen. Richard J. Winkel, Jr.)

40 ILCS 5/3-110 from Ch. 108 1/2, par. 3-110

40 ILCS 5/3-110.8 new

40 ILCS 5/7-139 from Ch. 108 1/2, par. 7-139

40 ILCS 5/7-139.11 new

Amends the Downstate Police and IMRF Articles of the Illinois Pension Code. Authorizes a member of a downstate police fund who has up to 8 years of creditable service under IMRF to transfer his or her service credit under IMRF to that downstate police fund. Authorizes a member of IMRF who has up to 8 years of creditable service in a fund under the Downstate Police Article to transfer his or her service credit under that downstate police fund to IMRF. Provides that if the amount transferred under this amendatory Act is less than the true cost to the receiving pension fund of allowing that creditable service to be established, then the amount of creditable service the person may establish under this amendatory Act shall be reduced by a corresponding amount. Effective immediately.

House Amendment No. 1

Changes an obsolete reference to the Department of Insurance. In provisions amending the IMRF Article, replaces references to the Public Pension Division with references to the board and removes reporting requirements related to calculations made to transfer the credits.

May 11 05 H Passed Both Houses

HB 00381 Rep. Marlow H. Colvin-David E. Miller-John A. Fritchey-Edward J. Acevedo-Harry Osterman, Deborah L. Graham, Robin Kelly, Paul D. Froehlich, William Davis, Robert Rita, Milton Patterson, Kenneth Dunkin, Constance A. Howard, Lovana Jones, Michelle Chavez, Patricia Reid Lindner, Barbara Flynn Currie, Cynthia Soto, William Delgado, Elaine Nekritz, Maria Antonia Berrios, Arthur L. Turner, Wyvetter H. Younge, Shane Cultra, Jack D. Franks, Linda Chapa LaVia, Calvin L. Giles, Sidney H. Mathias, Richard T. Bradley, Ruth Munson, Karen A. Yarbrough, Charles E. Jefferson and Susana A. Mendoza
(Sen. Jacqueline Y. Collins-Mattie Hunter-Kwame Raoul)

720 ILCS 5/17-29 new

Amends the Criminal Code of 1961. Provides that in addition to any other penalties imposed by law or by an ordinance or resolution of a unit of local government or school district, any individual or entity that knowingly obtains, or assists another to obtain, a contract with a governmental unit because of a false representation that the individual or entity, or the individual or entity assisted, is a minority owned business, female owned business, or business owned by a person with a disability, regardless of whether the preference was established by statute or local ordinance or resolution, is guilty of a Class 4 felony. Provides that the court shall order that an individual or entity convicted of this offense must pay to the governmental unit that awarded the contract a penalty equal to one and one-half times the amount of the contract obtained because of the false representation.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the introduced bill but changes penalties for a violation from a Class 4 felony to a Class 2 felony.

May 11 05 H Passed Both Houses

HB 00386 Rep. Jay C. Hoffman-Patricia Bailey-Kevin Joyce-Thomas Holbrook-Joseph M. Lyons, Naomi D. Jakobsson, Karen A. Yarbrough, Monique D. Davis, Brandon W. Phelps, Deborah L. Graham, Daniel V. Beiser and John E. Bradley
(Sen. William R. Haine)

625 ILCS 5/3-623 from Ch. 95 1/2, par. 3-623

Amends the Illinois Vehicle Code. Provides that an Illinois resident who is the surviving spouse of a person killed in a foreign war and awarded the Purple Heart by a branch of the armed forces of the United States is eligible to be issued Purple Heart license plates.

May 11 05 H Passed Both Houses

HB 00404 Rep. Roger L. Eddy-Sandra M. Pihos
(Sen. Dan Cronin-M. Maggie Crotty-Adeline Jay Geo-Karis, Dave Sullivan, John O. Jones, Dale E. Risinger, Larry K. Bomke, Pamela J. Althoff, Richard J. Winkel, Jr. and Dale A. Righter)

105 ILCS 5/18-8.05

Amends the School Code. In provisions concerning the compilation of average daily attendance under the State aid formula, makes changes concerning the days when the Prairie State Achievement Examination is administered. Effective July 1, 2005.

May 11 05 H Passed Both Houses

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HB 00413 Rep. Kathleen A. Ryg-Sidney H. Mathias-Karen A. Yarbrough-Eddie Washington-Donald L. Moffitt
(Sen. Kathleen L. Wojcik, Pamela J. Althoff, Dale E. Risinger-George P. Shadid and Dan Rutherford)

65 ILCS 5/3.1-30-10 from Ch. 24, par. 3.1-30-10

Amends the Illinois Municipal Code. In municipalities of less than 500,000, provides that the municipal clerk, when authorized by the corporate authorities of the municipality, may appoint the number of deputy clerks necessary to discharge the functions and duties of the office of municipal clerk (now, the clerk may be authorized to appoint one deputy clerk). Provides that the corporate authorities of the municipality may limit the number of deputy clerks that the municipal clerk may appoint. Effective immediately.

May 11 05 H Passed Both Houses

HB 00415 Rep. Thomas Holbrook-Patrick J Verschoore-Linda Chapa LaVia-Ron Stephens
(Sen. William R. Haine)

20 ILCS 1805/28.6

Amends the Military Code of Illinois. Requires that a member of the Army National Guard or the Air National Guard ordered to funeral honors duty receive an allowance of \$100 (rather than \$50).

May 11 05 H Passed Both Houses

HB 00444 Rep. John D'Amico-Kevin Joyce-Patricia R. Bellock-David E. Miller-Susana A Mendoza, William B. Black, Daniel V. Beiser, Robin Kelly, Sara Feigenholtz, Mike Boland, Patricia Bailey, Careen M Gordon, Lisa M. Dugan, Patrick J Verschoore, Maria Antonia Berrios, Michelle Chavez, Thomas Holbrook, Monique D. Davis, Jack D. Franks, Linda Chapa LaVia, Robert Rita, Karen A. Yarbrough, Brandon W. Phelps, Marlow H. Colvin, Deborah L. Graham, Eddie Washington and Michael K. Smith
(Sen. Kwame Raoul-Jacqueline Y. Collins)

720 ILCS 5/20-1.1 from Ch. 38, par. 20-1.1

Amends the Criminal Code of 1961. Provides that a person also commits aggravated arson when in the course of committing an arson he or she knowingly damages a building or structure and a correctional officer who is present at the scene acting in the line of duty is injured as a result of the fire or explosion. Effective immediately.

May 11 05 H Passed Both Houses

HB 00445 Rep. Daniel V. Beiser
(Sen. William R. Haine)

625 ILCS 45/3-2 from Ch. 95 1/2, par. 313-2

Amends the Boat Registration and Safety Act. Reduces the registration fee for a non-motorized paddle boat to a uniform \$6 (down from \$15 or \$45, depending on the length of the watercraft).

Fiscal Note (Department of Natural Resources)

A loss of revenue annually of approximately \$27,000.

May 11 05 H Passed Both Houses

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HB 00497 Rep. Gary Hannig-Patrick J Verschoore-Linda Chapa LaVia-Patricia Bailey-Eddie Washington, Mike Boland, Michael P. McAuliffe, Donald L. Moffitt, James H. Meyer, Aaron Schock, Lisa M. Dugan, Michelle Chavez, Charles E. Jefferson, Naomi D. Jakobsson, John E. Bradley, Jack D. Franks, Thomas Holbrook, Michael K. Smith and Robert F. Flider
 (Sen. Deanna Demuzio and William R. Haine-Martin A. Sandoval-John M. Sullivan-Susan Garrett-Jacqueline Y. Collins)

20 ILCS 2805/4.5 new

Amends the Department of Veterans Affairs Act. Provides that, subject to appropriations for that purpose, the Department shall fund 2 service officer positions for each veterans service organization that maintains an office in the Veterans Affairs Regional Office (VARO) in Chicago. Provides that a service officer whose position is funded under these provisions shall be an employee of the veterans service organization with which the service officer is placed, and the service officer shall be under the direct control of that veterans service organization. Provides that such a service officer must be certified by the federal government in the manner in which the head service officer of each office is certified. Provides that to be eligible to receive any moneys for the funding of a service officer position under these provisions, a veterans service organization must have maintained a state headquarters in this State for at least 10 years before July 1, 2005. Provides that a veterans service organization that is being funded with State or county moneys under any other provision of law on the effective date of this amendatory Act may not receive any moneys for the funding of a service officer position under these provisions.

House Amendment No. 1

Adds reference to:

20 ILCS 2805/4.5 new

Replaces everything after the enacting clause. Amends the Department of Veterans Affairs Act. Provides that subject to appropriations for that purpose, the Department shall make grants to veterans service organizations for the purpose of furthering those organizations' work of providing assistance to veterans. Provides that grants will be provided only to veterans service organizations that maintain an office in the Veterans Affairs Regional Office (VARO) in Chicago and will be divided equally between the qualifying veterans service organizations. Provides that to be eligible to receive a grant, a veterans service organization must have maintained a state headquarters in this State for at least 10 years before July 1, 2005. Provides that a veterans service organization that is being funded with State or county moneys under any other provision of law on the effective date of this amendatory Act may not receive any moneys for any grant under these provisions. Provides that grants made under this section shall not be used to replace or supplant services provided by employees of the Department.

May 11 05 H Passed Both Houses

HB 00518 Rep. Thomas Holbrook-Ron Stephens-Jack D. Franks-Linda Chapa LaVia-Careen M Gordon, Lisa M. Dugan, Michael K. Smith, Dan Reitz, Brandon W. Phelps, Eddie Washington, Daniel V. Beiser, Mike Boland, Mike Bost, Constance A. Howard, Patricia Bailey, Dan Brady, Patrick J Verschoore and Jack McGuire
 (Sen. William R. Haine-Dale A. Righter)

20 ILCS 1805/28.6

20 ILCS 1805/28.9

Amends the Military Code of Illinois. Provides that on or after July 1, 2006, if the Adjutant General determines that Illinois National Guard personnel are not available to perform military funeral honors, the Adjutant General may authorize another appropriate organization to provide one or more of its members to perform those honors and, subject to appropriations for that purpose, shall authorize the payment of a \$100 stipend to the organization. Provides that the Code does not establish any entitlement to military funeral honors if the Adjutant General determines that such other appropriate personnel are not available to perform those honors or if adequate appropriated funds are not available. Effective July 1, 2006.

Fiscal Note (Department of Military Affairs)

The Department does not currently have any appropriated funds for military funeral honors. In the previous fiscal year, Illinois National Guard personnel were not available to provide military funeral honors for approximately 400 funerals. Based upon this experience, \$40,000 (400 funerals multiplied by \$100) would need to be appropriated to the Department of Military Affairs for this purpose.

May 11 05 H Passed Both Houses

HB 00521 Rep. David E. Miller
(Sen. James A. DeLeo)

5 ILCS 375/7 from Ch. 127, par. 527

5 ILCS 375/8 from Ch. 127, par. 528

Amends the State Employees Group Insurance Act of 1971. Requires that the program of life insurance benefits permit active employees and annuitants under age 60 to purchase supplemental life insurance coverage in amounts up to 8 (now, up to 4) times the basic life insurance benefits. Limits the maximum accidental death and dismemberment coverage to the lesser of the amount of basic life benefits plus optional life benefits not exceeding 5 times basic life benefits or \$3,000,000 (now, basic plus optional life benefits). Changes the dependent life insurance coverage to \$10,000 (now, \$5,000), with a reduction to \$5,000 for a spouse when the eligible annuitant turns 60. Effective immediately.

May 11 05 H Passed Both Houses

HB 00524 Rep. Deborah L. Graham-Karen A. Yarbrough-Harry Osterman-John J. Millner-James H. Meyer, Susana A Mendoza, Jim Sacia, Eileen Lyons, William Davis, Mike Boland, Kathleen A. Ryg, Karen May, Elaine Nekritz, Barbara Flynn Currie, Kenneth Dunkin, Milton Patterson, Edward J. Acevedo, Cynthia Soto, John A. Fritchey, David E. Miller, Richard T. Bradley, James D. Brosnahan, Arthur L. Turner, Calvin L. Giles, Naomi D. Jakobsson and Marlow H. Colvin

(Sen. Don Harmon, Martin A. Sandoval and Edward D. Maloney-Jacqueline Y. Collins)

720 ILCS 5/24-1 from Ch. 38, par. 24-1

720 ILCS 5/24-1.1 from Ch. 38, par. 24-1.1

720 ILCS 5/24-1.6

730 ILCS 5/5-5-3 from Ch. 38, par. 1005-5-3

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Requires a mandatory sentence of imprisonment for certain violations of the statutes concerning unlawful use of weapons, the unlawful use or possession of weapons by felons, and aggravated unlawful use of a weapon. Provides that a period of probation, periodic imprisonment, or conditional discharge may not be imposed for these violations.

Correctional Note (Department of Corrections)

House Bill 524 has a Corrections Population Impact of 1,624 inmates and a Fiscal Impact of \$417,746,400.

Fiscal Note (Dept of Corrections)

Corrections population impact of 1,624 inmates and fiscal impact of \$417,746,400 over a ten year period.

May 11 05 H Passed Both Houses

HB 00544 Rep. Kathleen A. Ryg-Naomi D. Jakobsson-Karen May-Cynthia Soto, Maria Antonia Berrios, Edward J. Acevedo, Michelle Chavez, Richard T. Bradley, William Delgado, Robert Rita, Karen A. Yarbrough and Robin Kelly
(Sen. Terry Link)

625 ILCS 5/3-806.4 from Ch. 95 1/2, par. 3-806.4

Amends the Illinois Vehicle Code. Provides that, beginning with the 2007 registration year, an applicant for the registration plates issued to Gold Star recipients shall be charged no fee (rather than a \$15 original issuance fee to be deposited into the Road Fund) in addition to the appropriate registration fee.

Fiscal Note (Office of the Secretary of State)

House Bill 544 will have a minimal fiscal impact on the Secretary of State's Office.

May 11 05 H Passed Both Houses

HB 00577 Rep. Kevin Joyce-Lisa M. Dugan-Patricia R. Bellock-Dan Brady-Naomi D. Jakobsson, Patrick J Verschoore, Jack McGuire, Karen A. Yarbrough, Monique D. Davis and Careen M Gordon
(Sen. Edward D. Maloney)

625 ILCS 5/3-634

Amends the Illinois Vehicle Code provision regarding Illinois Fire Fighters' license plates. Provides that all moneys deposited into the Illinois Fire Fighters' Memorial Fund shall be used exclusively for the purposes listed in the Vehicle Code provision.

May 11 05 H Passed Both Houses

94th General Assembly
Synopsis of Legislation Passed Both Houses
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HB 00583 Rep. Randall M. Hultgren-Sidney H. Mathias
(Sen. Dan Rutherford and Pamela J. Althoff)

765 ILCS 1025/2

from Ch. 141, par. 102

Amends the Uniform Disposition of Unclaimed Property Act. Excepts from the presumption of abandonment by a financial organization a demand, savings, or matured deposit or a fund paid toward the purchase of withdrawable shares or other interest in a financial organization where the owner has, within 5 years, engaged in the following activity regarding other funds or loan accounts with the banking organization: (i) undertook one or more the of the described actions regarding any account that appears on a consolidated statement with the inactive account; (ii) increased or decreased the amount of funds in any other account the owner has with the banking organization; or (iii) engaged in any other relationship with the banking organization, including payment of any amounts due on a loan. Provides that the exception applies only so long as the mailing address for the owner in the banking organization's books and records is the same for both the inactive account and for the active account.

House Amendment No. 1

Changes references from banking organizations to financial organizations.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 00593 Rep. Donald L. Moffitt-William B. Black-Mike Bost-Linda Chapa LaVia-Jim Watson, Bill Mitchell, Ron Stephens, Jim Sacia, Paul D. Froehlich, Sidney H. Mathias, Aaron Schock, Daniel V. Beiser, Patrick J. Verschoore and Jack McGuire

(Sen. John M. Sullivan-Dale E. Risinger and Debbie DeFrancesco Halvorson)

330 ILCS 60/4

from Ch. 126 1/2, par. 32

Amends the Service Member's Employment Tenure Act. Provides that each person scheduled to begin employment with a private employer or with the State of Illinois or a political subdivision who, for the purpose of entering the military service, has left or leaves such scheduled-to-begin-employment status and actually entered the military service and who thereafter (1) receives a certificate or other evidence of honorable discharge or satisfactory completion of military service, (2) is, at the time of such discharge or completion of military service, still qualified to perform the duties of the position of employment which he or she was scheduled to begin, and (3) makes application for re-employment within 90 days after being relieved from such military service, or from hospitalization continuing after discharge for a period of not more than one year, shall be restored by the employer to the position of scheduled-to-begin-employment status which he or she left with the same increases in status, seniority, and wages that were earned during his or her term of military service by employees in like positions who were on the job at the time the returning service member entered the service, or to a position of like seniority, status, and pay, unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Extends other protections of the Act to service members who were scheduled to begin employment at the time they entered military service. Effective immediately.

House Amendment No. 1

Deletes reference to:

330 ILCS 60/4

Adds reference to:

20 ILCS 1805/22-10 new

Adds reference to:

330 ILCS 60/4.5 new

Replaces everything after the enacting clause. Amends the Military Code of Illinois and the Service Member's Employment Tenure Act. In the Service Member's Employment Tenure Act, provides that if an employer has given an individual a date upon which that individual is to commence performing services for the employer but the individual is called to active military duty before the date on which the individual's services were to have commenced, then the employer, upon request made by the individual, shall provide the individual with a written copy of the employment offer. Sets forth the minimum contents of the written copy of the employment offer. Provides that if an individual, upon honorable discharge from the military or satisfactory completion of his or her military service, is still qualified to perform the duties of the position for which he or she was first offered employment, and if the individual makes application with the employer within 90 days after he or she is relieved from military service, then the individual shall be given preference for employment with that employer. Provides that if circumstances have so changed as to make it impossible or unreasonable for the employer to employ the individual immediately, the individual shall remain eligible to begin such employment for a period of up to one year after the date the individual first notified the employer of his or her desire to perform such services. Provides that these provisions (i) do not apply if the original offer of work was limited to part-time employment, temporary employment, or casual labor and (ii) do not require an employer to hold a job position open or create additional employment to satisfy the requirements of these provisions. Requires the Adjutant General to give notice of these provisions to persons who are called to active military duty. Effective immediately.

House Amendment No. 2

Deletes reference to:

330 ILCS 60/4

Adds reference to:

20 ILCS 1805/22-10 new

Adds reference to:

330 ILCS 60/4.5 new

HB 00593 (CONTINUED)

Replaces everything after the enacting clause. Amends the Military Code of Illinois and the Service Member's Employment Tenure Act. In the Service Member's Employment Tenure Act, provides that if an employer has given an individual a date upon which that individual is to commence performing services for the employer but the individual is called to active military duty before the date on which the individual's services were to have commenced, then the employer, upon request made by the individual, shall provide the individual with a written copy of the employment offer. Sets forth the minimum contents of the written copy of the employment offer. Provides that if an individual, upon honorable discharge from the military or satisfactory completion of his or her military service, is still qualified to perform the duties of the position for which he or she was first offered employment, and if the individual makes application with the employer within 90 days after he or she is relieved from military service, then the individual shall be given preference for employment with that employer. Provides that if circumstances have so changed as to make it impossible or unreasonable for the employer to employ the individual immediately, the individual shall remain eligible to begin such employment for a period of up to one year after the date the individual first notified the employer of his or her desire to perform such services. Provides that these provisions (i) do not apply if the original offer of work was limited to part-time employment, temporary employment, or casual labor and (ii) do not require an employer to hold a job position open, violate any employment law, collectively bargained employment recall, or other employment obligation, or create additional employment to satisfy the requirements of these provisions. Requires the Adjutant General to give notice of these provisions to persons who are called to active military duty. Effective immediately.

May 11 05 H Passed Both Houses

HB 00603

Rep. Arthur L. Turner-Barbara Flynn Currie-Karen A. Yarbrough-Ed Sullivan, Jr.-Monique D. Davis, Mike Bost, William B. Black, Suzanne Bassi, Jack D. Franks, Kathleen A. Ryg, Julie Hamos, Patricia R. Bellock, Elaine Nekritz, William Davis, William Delgado, Kenneth Dunkin, Deborah L. Graham, Lou Lang, Harry Osterman, Larry McKeon, Sara Feigenholtz, Annazette Collins, Elizabeth Coulson, Ruth Munson, Rosemary Mulligan, Mike Boland, Calvin L. Giles, Naomi D. Jakobsson, Milton Patterson, Wyvetter H. Younge, Marlow H. Colvin, Richard T. Bradley, Lovana Jones, Thomas Holbrook and Angelo Saviano
(Sen. William E. Peterson-Iris Y. Martinez-Christine Radogno, Terry Link, Peter J. Roskam, Kwame Raoul, Martin A. Sandoval-Jacqueline Y. Collins, M. Maggie Crotty, Rickey R. Hendon, James T. Meeks-Miguel del Valle, Mattie Hunter, James F. Clayborne, Jr., Kimberly A. Lightford and Pamela J. Althoff)

35 ILCS 5/214

Amends the Illinois Income Tax Act to end the tax credit for donations to certain affordable housing projects with the taxable year ending on December 31, 2011 (now, 2006). Effective immediately.

May 11 05 H Passed Both Houses

HB 00611

Rep. Constance A. Howard-John J. Millner-Lovana Jones-Annazette Collins-Patricia Bailey and Calvin L. Giles
(Sen. Jacqueline Y. Collins and Martin A. Sandoval-Kwame Raoul)

730 ILCS 5/3-6-3

from Ch. 38, par. 1003-6-3

730 ILCS 5/3-6-8 new

Amends the Unified Code of Corrections. Provides that the rules and regulations for the early release of a prisoner on account of good conduct shall also provide that an additional 60 days of good conduct credit shall be awarded to any prisoner who earns a high school diploma or passes the high school level Test of General Educational Development (GED) and receives a GED certificate while the prisoner is incarcerated. Provides that the Department of Corrections shall develop and establish a program designed to increase the number of committed persons enrolled in programs to obtain a high school diploma or to pass the high school level Test of General Educational Development (GED) and receive GED certificates by at least 100% over the 4-year period following the effective date of this amendatory Act. Provides that pursuant to the program, each institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in high school education programs and those who pass the high school level Test of General Educational Development (GED) and receive GED certificates, and the number of committed persons who are on waiting lists for those educational programs. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill but eliminates the award of the additional 60 days good conduct credit for prisoners earning high school diplomas. Also limits the program to committed person in the Adult Division of the Department of Corrections. Effective immediately.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 00701 Rep. Eileen Lyons-Joseph M. Lyons-Patricia R. Bellock-Julie Hamos-Arthur L. Turner, Dan Brady, John J. Millner, Patricia Bailey, Naomi D. Jakobsson, Karen May and James H. Meyer
(Sen. Dan Rutherford-Jacqueline Y. Collins-Mattie Hunter)

720 ILCS 5/12-18 from Ch. 38, par. 12-18

730 ILCS 5/5-5-6 from Ch. 38, par. 1005-5-6

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Provides that the court may consider restitution an appropriate sentence to be imposed on each defendant convicted of an offense in addition to a sentence of imprisonment. Provides that the court shall take into consideration any real or personal property or other assets of the defendant when it orders restitution. Provides that in addition to any other penalty prescribed by law and any restitution ordered that did not include long-term physical health care costs, the court may, upon conviction of any misdemeanor or felony, order a defendant to pay restitution to a victim if the victim has suffered physical injury as a result of the offense that is reasonably probable to require or has required long-term physical health care for more than 3 months. Provides that long-term physical health care includes mental health care. Provides that the sentence of the defendant to a term of imprisonment is not a mitigating factor that prevents the court from ordering the defendant to pay restitution. Provides that an order of restitution for long-term physical health care costs shall fix a monthly amount to be paid by the defendant for as long as long-term physical health care of the victim is required as a result of the offense. Provides that the order may exceed the length of any sentence imposed upon the defendant for the criminal activity. Provides that in addition to the sentences provided for the offenses of exploitation of a child, child pornography, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse, the court may order any person who is convicted of violating any of those offenses or who was charged with any of those offenses and which charge was reduced to another charge as a result of a plea agreement to meet all or any portion of the financial obligations of treatment, including but not limited to medical, psychiatric, or rehabilitative treatment or psychological counseling, prescribed for the victim or victims of the offense.

May 11 05 H Passed Both Houses

HB 00723 Rep. Kurt M. Granberg
(Sen. Gary Forby)

70 ILCS 410/5 from Ch. 96 1/2, par. 7105

Amends the River Conservancy Districts Act. In the case of a 7-member board representing a district that embraces Franklin and Jefferson counties, provides that the terms of all trustees in office on June 30, 2006 end on July 1, 2006. Provides for the appointment of new trustees.

House Amendment No. 1

Deletes reference to:

70 ILCS 410/5

Adds reference to:

70 ILCS 2105/4a

from Ch. 42, par. 386a

Deletes everything. Amends the River Conservancy Districts Act. In the case of a board representing a district that embraces Franklin and Jefferson counties: (i) authorizes the appropriate appointing presiding officer or officers to remove a trustee for incompetence, neglect of duty, or malfeasance in office, without the advice and consent of the corporate authorities; (ii) ends the terms of all trustees on the effective date of this amendatory Act; and (iii) provides for the appointment of new trustees. Effective immediately.

May 11 05 H Passed Both Houses

HB 00728 Rep. Jerry L. Mitchell-Sandra M. Pihos-Carolyn H. Krause
(Sen. Todd Sieben)

105 ILCS 5/14-7.02 from Ch. 122, par. 14-7.02

Amends the Children with Disabilities Article of the School Code. Provides that the reimbursement of a school district for the amount of paid tuition of a child attending a non-public school or special education facility, public out-of-State school, or county special education facility is not authorized unless the State Superintendent of Education finds that the school district is in substantial compliance with a Section of the Code concerning special educational facilities for children with disabilities (now, the school district must also certify to the State Superintendent of Education that the special education program of the district is unable to meet the needs of a child because of the child's disability in order for reimbursement to be authorized). Effective immediately.

House Amendment No. 1

Restores the language requiring the school district to certify to the State Superintendent of Education that the special education program of the district is unable to meet the needs of a child because of the child's disability. Provides, however, that if a child is unilaterally placed by a State agency or any court in a non-public school or special education facility, public out-of-state school, or county special education facility, a school district shall not be required to certify, for the purpose of tuition reimbursement, its inability to meet a child's needs because of the child's disability.

May 11 05 H Passed Both Houses

HB 00729 Rep. Dan Reitz-Thomas Holbrook, Mike Bost-Patrick J Verschoore, Shane Cultra and Art Tenhouse
(Sen. William R. Haine)

430 ILCS 55/3 from Ch. 127 1/2, par. 1003

Amends the Hazardous Material Emergency Response Reimbursement Act. Adds to the definition of "emergency response agency" a non-governmental organization that provides emergency services and adds mass care or assistance to displaced persons to the list of emergency services that may be provided.

House Amendment No. 1

Provides that "emergency response agency" means a unit of local government, volunteer fire protection organization, or the American Red Cross that provides emergency services (rather than "emergency response agency" means a unit of local government, volunteer fire protection organization, or non-governmental organization that provides emergency services).

May 11 05 H Passed Both Houses

HB 00731 Rep. Roger L. Eddy
(Sen. Dale A. Righter)

5 ILCS 375/3 from Ch. 127, par. 523

Amends the State Employees Group Insurance Act of 1971. Redefines a unit of local government to include a hospital provider owned by a county that has 100 or fewer hospital beds and that has not already joined the insurance program.

May 11 05 H Passed Both Houses

HB 00741 Rep. Roger L. Eddy-William B. Black
(Sen. Dale A. Righter)

40 ILCS 5/16-150.1

Amends the Downstate Teacher Article of the Illinois Pension Code. In provisions concerning retired teachers returning to teach in a subject shortage area, makes changes concerning when the school district must advertise its vacancies and search for teachers. Effective immediately.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 00744 Rep. Ronald A. Wait-Sidney H. Mathias-Elaine Nekritz-Roger Jenisch-Sandra M. Pihos, Michael Tryon, Roger L. Eddy, Kathleen A. Ryg, Karen May, Naomi D. Jakobsson and Maria Antonia Berrios
 (Sen. Iris Y. Martinez-Richard J. Winkel, Jr.-Miguel del Valle-Jacqueline Y. Collins, Debbie DeFrancesco Halvorson, Christine Radogno and Martin A. Sandoval)

20 ILCS 2705/2705-317 new

Amends the Department of Transportation Law of the Civil Administrative Code. Provides that, upon enactment of a federal transportation bill with a dedicated fund available to states for safe routes for schools, the Department of Transportation shall, in cooperation with the State Board of Education and the Department of State Police, establish and administer a Safe Routes to School Construction Program for the construction of bicycle and pedestrian safety and traffic-calming projects, with construction grants being made available to local governmental agencies. Effective immediately.

House Amendment No. 1

Adds proximity to parks and other recreational facilities as a factor that Safe Routes to School proposals for funding are to be rated on.

May 11 05 H Passed Both Houses

HB 00759 Rep. Lou Lang-Sandra M. Pihos-Jack D. Franks-Patricia R. Bellock, Patrick J Verschoore and Jack McGuire
 (Sen. Susan Garrett-Jacqueline Y. Collins)

20 ILCS 505/5.25 new

Amends the Children and Family Services Act. Provides that every child with a diagnosis of a mental illness who is placed under the Act shall receive mental health services. Requires DCFS, in cooperation with DHS, to file a proposed rule by January 1, 2006, regarding the mental health services to be provided to these children. Requires DCFS to assess each mental health community network in the State to determine what needs exist in each network for the required mental health services. Requires DCFS, by January 1, 2007, to submit a report describing the assessment of the mental health community networks and a plan to address the identified needs to the Governor and the General Assembly.

House Amendment No. 1

Adds reference to:

20 ILCS 505/5.25 new

Deletes everything after the enacting clause. Amends the Children and Family Services Act. Provides that every child in the care of the Department of Children and Family Services shall receive necessary behavioral health services, including mental health services, trauma services, substance abuse services, and developmental disabilities services. Specifically, there shall be services, such as integrated assessments, treatment plans, individual and group therapy, and specialized foster care. A program facility or home shall assist the Department in arranging for behavioral health services from an outside provider. Provides that DCFS shall file proposed rules by January 1, 2006 regarding the behavioral health services to be provided to children in the care of DCFS. Provides that DCFS shall prepare an assessment of behavioral health community services available in the State by DCFS region to determine what needs for behavioral health services exist. Provides that DCFS, by January 1, 2007, shall submit a report to the Governor and the General Assembly that describes the assessment of available behavioral health services and a plan to address identified needs.

Fiscal Note (Department of Children & Family Services)

The Department under its Program Improvement Plan with the federal government is already planning to conduct this activity. Costs associated with the plan, and thus this legislation that codifies part of the activity, is already factored into the Fiscal Year 2006 budget as introduced. House Bill 759 does not add any additional costs to the Department.

May 11 05 H Passed Both Houses

HB 00785 Rep. Cynthia Soto-Patricia R. Bellock-Eileen Lyons
(Sen. Iris Y. Martinez)

305 ILCS 5/10-10 from Ch. 23, par. 10-10
305 ILCS 5/10-28 new
750 ILCS 5/507 from Ch. 40, par. 507
750 ILCS 5/517 new
750 ILCS 5/705 from Ch. 40, par. 705
750 ILCS 5/709 from Ch. 40, par. 709
750 ILCS 16/25
750 ILCS 45/21 from Ch. 40, par. 2521
750 ILCS 45/28 new

Amends the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support Punishment Act, and the Illinois Parentage Act of 1984. Replaces a provision concerning notice to a circuit clerk that a person is receiving child support enforcement services from the Department of Public Aid and requiring the clerk to send support payments in accordance with the Department's instructions. Provides that the Department of Public Aid may provide notice at any time to the parties to a support action that the Department is providing child support enforcement services. Provides that the Department is thereafter entitled to notice of further court proceedings. Requires the Department to provide the circuit clerk with copies of the notices sent to the parties.

May 11 05 H Passed Both Houses

HB 00828 Rep. Dan Reitz
(Sen. Mike Jacobs and Pamela J. Althoff)

35 ILCS 516/60

Amends the Mobile Home Local Services Tax Enforcement Act. With respect to the notice for application of judgment and sale of tax-delinquent mobile homes, removes the requirement that the notice include the mobile home park where the mobile home is sited, if known, the model year of the home, and the square footage of the home. Provides that the vehicle identification number of the mobile home must be listed only if known. Effective immediately.

May 11 05 H Passed Both Houses

HB 00847 Rep. Bob Biggins-Robert S. Molaro-Mark H. Beaubien, Jr.-Paul D. Froehlich-Elizabeth Coulson
(Sen. Christine Radogno)

5 ILCS 460/85 new
5 ILCS 460/90 new

Amends the State Designations Act. Designates the Eastern Tiger Salamander as the official State amphibian of Illinois. Designates the Painted Turtle as the official State reptile of Illinois.

May 11 05 H Passed Both Houses

HB 00885 Rep. Susana A Mendoza-Sandra M. Pihos-Roger Jenisch-William Delgado-John J. Millner, John D'Amico, Paul D. Froehlich, Kevin Joyce, Sidney H. Mathias, Michael P. McAuliffe, Ron Stephens, Ronald A. Wait, Linda Chapa LaVia, Maria Antonia Berrios, Michelle Chavez, Jack D. Franks, Joseph M. Lyons, Robert F. Flider, Kevin A. McCarthy, Careen M Gordon, Daniel J. Burke, Chapin Rose, Richard T. Bradley and Lisa M. Dugan
(Sen. Dan Cronin-Christine Radogno-Jacqueline Y. Collins)

720 ILCS 5/3-5 from Ch. 38, par. 3-5

Amends the Criminal Code of 1961. Provides that a prosecution for the offense of leaving the scene of a motor vehicle accident involving death or personal injuries or failing to give information and render aid following a motor vehicle accident that involves death or personal injuries or damage to an attended vehicle may be commenced at any time.

House Amendment No. 1

Provides that the amendatory Act may be referred to as the Patrick Leahy Law.

May 11 05 H Passed Both Houses

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HB 00887 Rep. William B. Black-Paul D. Froehlich-Sidney H. Mathias, Karen A. Yarbrough, Patrick J Verschoore, Jack McGuire, Robert W. Pritchard and Roger L. Eddy
(Sen. Dan Cronin)

65 ILCS 5/1-2-1.2 new

625 ILCS 5/11-208.5 new

625 ILCS 5/16-102 from Ch. 95 1/2, par. 16-102

Amends the Illinois Municipal Code and the Illinois Vehicle Code. Provides that a unit of local government may not enact or enforce any ordinance or rule the violation of which would constitute a felony under the Vehicle Code provision prohibiting driving under the influence of alcohol, drugs, or intoxicating compounds. Provides that a municipal attorney may not prosecute, and a State's Attorney may not allow a municipal attorney to prosecute, any ordinance violation that would constitute a felony under the DUI provision of the Vehicle Code. Provides that a municipal attorney must notify the State's Attorney if a driver's alleged conduct would constitute a felony under the DUI provision.

May 11 05 H Passed Both Houses

HB 00888 Rep. William B. Black-Sidney H. Mathias-Sandra M. Pihos-Roger Jenisch, Karen A. Yarbrough, Patrick J Verschoore, Jack McGuire, Patricia R. Bellock, Eileen Lyons and Robin Kelly
(Sen. Dan Cronin-Terry Link)

625 ILCS 5/6-303 from Ch. 95 1/2, par. 6-303

Amends the Illinois Vehicle Code. Provides that any person convicted of a fifth, sixth, seventh, eighth, or ninth (rather than a fifth or subsequent) offense of driving on a revoked or suspended license or permit is guilty of a Class 4 felony if the revocation or suspension was for a hit-and-run or a DUI violation of the Code or a similar out-of-state offense or a similar provision of a local ordinance or reckless homicide or a statutory summary suspension under the Code. Provides that a person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth offense is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for one of those violations. Provides that person convicted of a fifteenth or subsequent offense is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for one of those violations.

May 11 05 H Passed Both Houses

HB 00908 Rep. Marlow H. Colvin
(Sen. Kimberly A. Lightford, Adeline Jay Geo-Karis, Dave Sullivan, John O. Jones, Dale E. Risinger, Larry K. Bomke and Richard J. Winkel, Jr.)

115 ILCS 5/11 from Ch. 48, par. 1711

30 ILCS 805/8.29 new

Amends the Illinois Educational Labor Relations Act. Provides that, if a collective bargaining agreement that includes a fair share clause expires or continues in effect beyond its scheduled expiration date pending the negotiation of a successor agreement, then the employer shall continue to honor and abide by the fair share clause until a new agreement that includes a fair share clause is reached. Provides that failure to honor and abide by the fair share clause for the benefit of any exclusive representative shall be a violation of the duty to bargain and an unfair labor practice. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

May 11 05 H Passed Both Houses

HB 00911 Rep. Robert W. Churchill
(Sen. Debbie DeFrancesco Halvorson)

5 ILCS 220/6 from Ch. 127, par. 746

Amends the Intergovernmental Cooperation Act. Provides that an intergovernmental self-insurance agreement, cooperative, or pool does not interfere with statutory obligations of collective bargaining. Makes it unlawful for an intergovernmental joint insurance pool or cooperative to discriminate or retaliate against public agency members that limit their participation in the pool or cooperative as a result of collective bargaining obligations. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Intergovernmental Cooperation Act. Provides that no joint insurance pool or intergovernmental cooperative offering health insurance shall interfere with a public agency's required collective bargaining subjects or discriminate or retaliate against a public agency member that limits its participation as a result of collective bargaining. No intergovernmental insurance contract offering health insurance shall limit the collective bargaining rights or obligations of public agency members. With respect to intergovernmental insurance contracts relating to health, life, or life and health insurance, provides that the pool or contract may permit re-pricing of the costs of coverage for continuing officers and employees when a member withdraws officers or employees into a union-supported program. Prohibits expelling a member from the pool or cooperative if the continuing officers and employees meet general criteria required of all members. Effective immediately.

May 11 05 H Passed Both Houses

HB 00917 Rep. Karen A. Yarbrough-Paul D. Froehlich-Cynthia Soto-Deborah L. Graham-Robin Kelly, Milton Patterson,
Kenneth Dunkin, David E. Miller and Marlow H. Colvin
(Sen. Carol Ronen)

775 ILCS 5/3-105.1 new

Amends the Illinois Human Rights Act. Makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by specified provisions of the federal Fair Housing Act. Effective January 1, 2006.

House Amendment No. 1

Deletes everything. Amends the Illinois Human Rights Act. Makes it a civil rights violation to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by the Real Estate Transactions Article of the Act. Effective January 1, 2006.

May 11 05 H Passed Both Houses

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HB 00923 Rep. Edward J. Acevedo and Karen A. Yarbrough
(Sen. William R. Haine-Jacqueline Y. Collins)

720 ILCS 5/8-2 from Ch. 38, par. 8-2

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Criminal Code of 1961. Provides that conspiracy to commit treason, first degree murder, or aggravated kidnapping is a Class 1 (rather than a Class 2) felony. Provides that conspiracy to commit aggravated criminal sexual assault or predatory criminal sexual assault of a child is a Class 1 (rather than a Class 4) felony. Amends the Unified Code of Corrections. Provides that a prisoner serving a sentence for felony domestic battery or for aggravated domestic battery may receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment. Effective immediately.

Fiscal Note (Department of Corrections)

House Bill 923 has a Corrections Population Impact of 544 inmates and a Fiscal Impact of \$126,960,700 over ten years.

House Amendment No. 1

Deletes reference to:

730 ILCS 5/3-6-3

Deletes the amendatory changes to the Unified Code of Corrections that provide that a prisoner serving a sentence for felony domestic battery or for aggravated domestic battery may receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

Correctional Note (Dept of Corrections)

Corrections Population Impact: 544 inmates. Fiscal Impact: \$126,960,700 over ten years.

Correctional Note (H-AM 1) (Dept. of Corrections)

Corrections Population Impact: 52 Inmates. Fiscal Impact: \$8,919,000.

May 11 05 H Passed Both Houses

HB 00942 Rep. Robert F. Flider-Donald L. Moffitt-Eileen Lyons-Naomi D. Jakobsson-Patrick J Verschoore and Jack McGuire
(Sen. John M. Sullivan)

240 ILCS 40/10-25

Amends the Grain Code. Authorizes the use of warehouse receipts in electronic form. Provides that electronic receipts are as valid and enforceable as paper receipts. Provides that references in the Code to written or printed receipts include electronic receipts. Effective immediately.

May 11 05 H Passed Both Houses

HB 00950 Rep. John A. Fritchey-David E. Miller-William Delgado-Harry Osterman
(Sen. Don Harmon-Kirk W. Dillard)

745 ILCS 49/20

Amends the Good Samaritan Act. Defines "organized program" for the purposes of the Section concerning immunity for free dental clinics. Provides that services donated to a free dental clinic may be provided at a clinic, hospital, medical facility, or private dental office.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions of the original bill with these changes. Provides that free dental services provided under the Section exempting free dental clinics from civil liability may be provided at a clinic or private dental office (instead of a clinic hospital, medical facility, or private dental office). Provides that a fee received by a free dental clinic may not be used to reimburse or compensate an entity that a person licensed under the Illinois Dental Practice Act owns or controls or in which the person has ownership interest or from which the person receives a fee, reimbursement, or compensation of any kind.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 00992 Rep. William Delgado, Jack D. Franks and Linda Chapa LaVia
(Sen. Iris Y. Martinez)

730 ILCS 5/5-4-3 from Ch. 38, par. 1005-4-3

Amends the Unified Code of Corrections. Provides that any person sentenced to life imprisonment in a facility of the Illinois Department of Corrections after the effective date of this amendatory Act or sentenced to death after the effective date of this amendatory Act shall be required to provide a specimen of blood, saliva, or tissue within 45 days after sentencing or disposition at a collection site designated by the Illinois Department of State Police. Provides that any person serving a sentence of life imprisonment in a facility of the Illinois Department of Corrections on the effective date of this amendatory Act or any person who is under a sentence of death on the effective date of this amendatory Act shall be required to provide a specimen of blood, saliva, or tissue upon request at a collection site designated by the Illinois Department of State Police. Effective immediately.

May 11 05 H Passed Both Houses

HB 00996 Rep. Mike Boland-Donald L. Moffitt-Thomas Holbrook-Michael K. Smith
(Sen. Debbie DeFrancesco Halvorson)

625 ILCS 5/12-215 from Ch. 95 1/2, par. 12-215

Amends the Illinois Vehicle Code. Provides that a fire chief may drive a vehicle using red or white oscillating, rotating, or flashing lights if the vehicle is designated or authorized as a fire department, fire protection district, or township fire department vehicle and the designation or authorization is carried in the vehicle.

House Amendment No. 1

Provides that a fire chief must have completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal, and that the lights may be visible or activated only when responding to a bona fide emergency.

May 11 05 H Passed Both Houses

HB 01002 Rep. Kevin Joyce-Paul D. Froehlich-David E. Miller-Eileen Lyons-James D. Brosnahan, Deborah L. Graham, Timothy L. Schmitz, Karen A. Yarbrough, Richard T. Bradley, Jim Watson, Robin Kelly, Eddie Washington and John D'Amico
(Sen. Don Harmon-Edward D. Maloney-Jacqueline Y. Collins)

720 ILCS 5/29B-1 from Ch. 38, par. 29B-1

Amends the Criminal Code of 1961 concerning the offense of money laundering. Provides that money laundering also may occur when a person, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves criminally derived property: (A) with the intent to promote the carrying on of the unlawful activity from which the criminally derived property was obtained; or (B) where he or she knows or reasonably should know that the financial transaction is designed in whole or in part: (i) to conceal or disguise the nature, the location, the source, the ownership or the control of the criminally derived property; or (ii) to avoid a transaction reporting requirement under State law. Provides for the introduction of certain evidence to show whether the property or proceeds were known to be some form of criminally derived property or from some form of specified unlawful activity. Provides for the forfeiture of property derived from money laundering. Specifies which units of government shall receive the proceeds of the forfeited property. Effective immediately.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 01005 Rep. Kevin Joyce-Constance A. Howard-John A. Fritchey-David E. Miller, Elizabeth Coulson and Sara Feigenholtz
 (Sen. Louis S. Viverito-M. Maggie Crotty)

225 ILCS 7/Act rep.

Repeals the Board and Care Home Registration Act.

House Amendment No. 1

Deletes reference to:

225 ILCS 7/Act rep.

Adds reference to:

225 ILCS 7/2

Adds reference to:

225 ILCS 7/3

Adds reference to:

225 ILCS 7/6 new

Adds reference to:

225 ILCS 7/7 new

Adds reference to:

210 ILCS 9/160

Deletes everything. Amends the Board and Care Home Registration Act. Changes the definition of "Department" to mean the Department of Public Health (rather than the Department on Aging). Requires the Department to promulgate rules to enforce the provisions of the Act. Prohibits public officials, agents, and employees from placing any person in a board and care home that is not registered and from placing the name of an unregistered establishment on a list of programs. Provides civil penalties. Provides for the transfer of authority under the Act and the transfer of property and records relating to matters under the Act from the Department on Aging to the Department of Public Health. Provides that fees and fines collected under the Act shall be deposited into the Assisted Living and Shared Housing Regulatory Fund. Amends the Assisted Living and Shared Housing Act to require that funds deposited into the Assisted Living and Shared Housing Regulatory Fund be used for the administration of the Board and Care Home Registration Act.

May 11 05 H Passed Both Houses

HB 01031 Rep. Angelo Saviano-Karen A. Yarbrough-Patricia R. Bellock
 (Sen. Antonio Munoz-Kirk W. Dillard)

225 ILCS 85/8 from Ch. 111, par. 4128

Amends the Pharmacy Practice Act of 1987. Makes a technical change in a Section concerning licensure without examination.

House Amendment No. 2

Deletes reference to:

225 ILCS 85/8

Adds reference to:

225 ILCS 85/14 from Ch. 111, par. 4134

Adds reference to:

225 ILCS 85/15 from Ch. 111, par. 4135

Adds reference to:

225 ILCS 85/18 from Ch. 111, par. 4138

Deletes everything after the enacting clause. Amends the Pharmacy Practice Act of 1987. Adds a Division VI license for pharmacies that provide pharmacy services to patients of institutions serviced by pharmacies with a Division II or Division III license, without using their own supply of drugs. Provides that the structural, equipment, and record retention requirements for a Division VI pharmacy shall be set by rule. Effective immediately.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 01051 Rep. Susana A Mendoza-Kevin A. McCarthy-Calvin L. Giles-Edward J. Acevedo-Cynthia Soto and Michelle Chavez
 (Sen. Kimberly A. Lightford)

110 ILCS 947/50

110 ILCS 947/52

110 ILCS 947/65.15

110 ILCS 922/Act rep.

Amends the Higher Education Student Assistance Act. Makes changes concerning Minority Teachers of Illinois scholarships with respect to exceptions to the teaching obligation requirement. Makes changes concerning the Illinois Future Teacher Corps Program with respect to the teaching obligation requirement. Makes changes concerning special education teacher scholarships with respect to eligibility, certification of applicants, and the teaching obligation requirement. Repeals the Child Development Teacher Scholarship Act. Effective July 1, 2005, except that the special education teacher scholarship changes take effect on July 1, 2006.

House Amendment No. 1

With respect to special education teacher scholarships, changes a reference from the State Comptroller to the State Treasurer.

May 11 05 H Passed Both Houses

HB 01077 Rep. Kathleen A. Ryg-Dan Brady-Michael P. McAuliffe-Naomi D. Jakobsson-Lisa M. Dugan, Linda Chapa LaVia, William Delgado, Paul D. Froehlich, David R. Leitch, Chapin Rose, Jim Sacia, Daniel V. Beiser, Robert W. Pritchard, Renee Kosel, JoAnn D. Osmond, Sara Feigenholtz, Mike Boland, Karen May, Lou Lang, Jack D. Franks, Kenneth Dunkin, Michelle Chavez, Karen A. Yarbrough, Larry McKeon, David E. Miller, Rich Brauer, Robin Kelly, Eileen Lyons, Patricia R. Bellock, Deborah L. Graham, Aaron Schock, Eddie Washington, Wyvetter H. Younge, William Davis, Arthur L. Turner and John D'Amico

(Sen. Jacqueline Y. Collins-Mike Jacobs-Kathleen L. Wojcik-John J. Cullerton)

625 ILCS 5/6-110 from Ch. 95 1/2, par. 6-110

625 ILCS 5/6-117 from Ch. 95 1/2, par. 6-117

755 ILCS 50/5-20 was 755 ILCS 50/5

755 ILCS 50/5-40 was 755 ILCS 50/7

755 ILCS 50/5-45 was 755 ILCS 50/8

Amends the Illinois Vehicle Code and the Illinois Anatomical Gift Act. Provides that the Secretary of State may establish a First Person Consent organ and tissue donor registry. Provides that the Secretary may offer, to each applicant for reissuance or renewal of a driver's license or identification card who is 18 or older, the opportunity to have his or her name included on the registry. Provides that the Secretary must advise the person that he or she is under no compulsion to have his or her name included. Establishes additional procedures for creating the registry. Provides that the Secretary must continue, until the registry has been established, to provide, on the reverse side of each driver's license issued, a format that the licensee may use to execute an anatomical gift. Provides that a person may make an anatomical gift by consenting to having his or her name included in the registry. Provides that in the absence of gross negligence, willful misconduct, the Secretary of State and his or her employees from criminal or civil liability in connection with a person's consent to be listed in the registry.

Fiscal Note (Office of the Secretary of State)

The estimated cost for House Bill 1077 (first person consent registry) is \$400,000 for the first year and \$60,000 annually thereafter. The estimated costs include training personnel, staff training, microfilm supplies, printers, and office supplies.

May 11 05 H Passed Both Houses

HB 01081 Rep. William Davis-Lovana Jones-Paul D. Froehlich-Calvin L. Giles and Marlow H. Colvin

(Sen. Jacqueline Y. Collins-Kirk W. Dillard-Martin A. Sandoval)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that, if a defendant is convicted of aggravated driving under the influence of alcohol, drugs, or intoxicating compounds because his or her DUI violation was the cause of the death of one or more persons, the defendant shall be sentenced to a term of imprisonment, unless the court determines that extraordinary circumstances exist and require probation.

May 11 05 H Passed Both Houses

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HB 01132 Rep. William B. Black-Paul D. Froehlich-Sidney H. Mathias-Eileen Lyons-Terry R. Parke, Donald L. Moffitt, Randall M. Hultgren, Patrick J. Verschoore, Jack McGuire, Sandra M. Pihos, Jack D. Franks, William Davis, Linda Chapa LaVia, Patricia R. Bellock, Suzanne Bassi, Careen M. Gordon, Lisa M. Dugan and Daniel V. Beiser
 (Sen. Adeline Jay Geo-Karis-Martin A. Sandoval)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that any person convicted a sixth or subsequent time of driving under the influence of alcohol, drugs, or intoxicating compounds is guilty of a Class X felony.

Correctional Note (Dept of Corrections)

The total impact of House Bill 1132 would result in an increase of 256 inmates, with additional operating costs of \$42,998,500 and construction costs of \$14,986,700 over ten years.

May 11 05 H Passed Both Houses

HB 01134 Rep. Robert W. Pritchard-Paul D. Froehlich-Sidney H. Mathias-Kenneth Dunkin and Jack D. Franks
 (Sen. Christine Radogno-Kwame Raoul)

740 ILCS 45/2 from Ch. 70, par. 72

Amends the Crime Victims Compensation Act. Adds expenses for care and counseling by licensed clinical professional counselors to the definition of "pecuniary loss".

May 11 05 H Passed Both Houses

HB 01151 Rep. John J. Millner
 (Sen. Deanna Demuzio)

20 ILCS 2635/8 from Ch. 38, par. 1608

Amends the Illinois Uniform Conviction Information Act. Deletes a provision requiring an annual review the maximum fees for processing requests for conviction information. Effective immediately.

May 11 05 H Passed Both Houses

HB 01157 Rep. Patricia Reid Lindner-Timothy L. Schmitz-Michael Tryon-Robert W. Pritchard-Randall M. Hultgren
 (Sen. Chris Lauzen)

65 ILCS 5/2-3-5a from Ch. 24, par. 2-3-5a

Amends the Illinois Municipal Code. Provides that in a county that has more than 400,000 but fewer than 410,000 inhabitants, if an area of contiguous territory not exceeding one square mile that has at least 400 inhabitants residing in permanent dwellings and is located in a township that is adjacent to a county of fewer than 150,000 inhabitants, then that area and the area adjacent to it, not exceeding 12 square miles in total, may be incorporated as a village by following the existing procedure. Neither the consent of a municipality nor a finding of the county board need to be obtained. Effective immediately.

House Amendment No. 1

Reinserts the provisions setting forth procedures for certain areas to be incorporated as a village, but provides that the area to be incorporated as a village may not exceed 4 square miles (instead of 12 square miles) and must be within the same township.

May 11 05 H Passed Both Houses

HB 01182 Rep. Patrick J. Verschoore
 (Sen. Mike Jacobs)

625 ILCS 5/11-1427.3

Amends the Illinois Vehicle Code. Provides that the Department of Natural Resources may (rather than shall) adopt administrative rules regarding the operation of all-terrain vehicles and off-highway motorcycles.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 01301 Rep. John A. Fritchey-Sandra M. Pihos, Kenneth Dunkin, Elizabeth Coulson, Mike Boland, Edward J. Acevedo, Monique D. Davis, Joe Dunn, Ruth Munson, Richard T. Bradley and Joseph M. Lyons
(Sen. Ira I. Silverstein-Jacqueline Y. Collins)

205 ILCS 5/48.1 from Ch. 17, par. 360

Amends the Illinois Banking Act. Provides that the Act does not prohibit the furnishing of information to certain entities if there is suspicion by the entity or the bank (rather than the bank suspects) that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. Provides that a bank or person furnishing the information shall be entitled to the same rights and protections as a person furnishing information under the Abuse of Adults with Disabilities Intervention Act. Effective immediately.

House Amendment No. 1

Adds reference to:

205 ILCS 105/3-8

from Ch. 17, par. 3303-8

Adds reference to:

205 ILCS 205/4013

from Ch. 17, par. 7304-13

Adds reference to:

205 ILCS 305/10

from Ch. 17, par. 4411

Amends the Illinois Savings and Loan Act of 1985, the Savings Bank Act, and the Credit Union Act. Provides that savings and loan associations, savings banks, and credit unions are not prohibited from furnishing information to certain entities if there is suspicion by the entity that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. Provides that the entity or person furnishing the information shall be entitled to the same rights and protections as a person furnishing information under the Abuse of Adults with Disabilities Intervention Act.

May 11 05 H Passed Both Houses

HB 01310 Rep. Robert Rita
(Sen. Terry Link)

50 ILCS 610/1 from Ch. 21, par. 13

Amends the Public Graveyards Act. Provides that, if a township board has vested control of a public graveyard in 3 trustees, the township board may, by resolution, divest the trustees of control and assume control of the public graveyard. Effective immediately.

May 11 05 H Passed Both Houses

HB 01311 Rep. William Davis
(Sen. Terry Link)

60 ILCS 1/30-95

Amends the Township Code. Gives township electors power to regulate or prohibit poultry running at large.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 01315 Rep. Charles E. Jefferson and Mike Boland
 (Sen. Arthur J. Wilhelmi-Pamela J. Althoff)

| | |
|-----------------|-------------------------|
| 10 ILCS 5/4-16 | from Ch. 46, par. 4-16 |
| 10 ILCS 5/5-23 | from Ch. 46, par. 5-23 |
| 10 ILCS 5/6-53 | from Ch. 46, par. 6-53 |
| 10 ILCS 5/17-14 | from Ch. 46, par. 17-14 |

Amends the Election Code. Authorizes election authorities to use obituaries to obtain information for purposes of purging voter registration records. Makes changes in the large county and board of election commissioners Articles to conform to procedures in the smaller county Article with respect to purging. Removes the requirement that a physically disabled voter seeking assistance marking the ballot must state whether his or her disability is permanent.

House Amendment No. 1

Deletes reference to:

10 ILCS 5/4-16

Deletes reference to:

10 ILCS 5/5-23

Deletes reference to:

10 ILCS 5/6-53

Deletes all provisions relating to purging voting records.

May 11 05 H Passed Both Houses

HB 01324 Rep. William B. Black-Roger L. Eddy and Shane Cultra
 (Sen. Richard J. Winkel, Jr.)

| | |
|----------------------|------------------------------|
| 105 ILCS 5/10-21.12 | from Ch. 122, par. 10-21.12 |
| 105 ILCS 5/10-22.22 | from Ch. 122, par. 10-22.22 |
| 105 ILCS 5/10-22.22b | from Ch. 122, par. 10-22.22b |

Amends the School Code. Allows for the deactivation of an elementary school facility in the same manner as the deactivation of a high school facility. Effective immediately.

May 11 05 H Passed Both Houses

HB 01333 Rep. Sidney H. Mathias-John J. Millner-Paul D. Froehlich-Roger Jenisch-Donald L. Moffitt, William B. Black and Karen A. Yarbrough
 (Sen. Martin A. Sandoval-Kirk W. Dillard)

55 ILCS 5/5-1097.5

55 ILCS 5/5-1097.7 new

Amends the Counties Code. Provides that no adult entertainment facilities within an unincorporated area of a county shall be located within 3,000 feet of a specified area, such as a school, a day care center, a public park, a place of religious worship, or a residence (now, the ban applies throughout the county but does not include residences). Provides that the Attorney General or the State's attorney of the county in which the adult entertainment facility is located may seek enforcement by injunction. Provides that a county may adopt an ordinance to regulate adult entertainment facilities and includes definitions of specified anatomical areas and specified sexual activities. Provides that the ordinance may authorize the State's attorney to institute a civil action to restrain an ordinance violation. Authorizes fines of up to \$1,000 per day for each violation and injunctive relief to abate violations or to prevent violations from continuing.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 01339 Rep. Patrick J Verschoore-Paul D. Froehlich
(Sen. Mike Jacobs)

625 ILCS 40/5-7

625 ILCS 40/10-3

625 ILCS 45/5-16

625 ILCS 45/6-1 from Ch. 95 1/2, par. 316-1

625 ILCS 45/11A-5 from Ch. 95 1/2, par. 321A-5

Amends the Snowmobile Registration and Safety Act and the Boat Registration and Safety Act. Provides that a person who has not been previously convicted of or assigned supervision for operating a snowmobile or watercraft under the influence of alcohol, drugs, or intoxicating compounds (OUI), and has not had his or her operating privileges suspended under the applicable provision, is a first offender regarding the applicable provision. Provides that a forfeiture of bail to secure a court appearance or a failure to appear for trial is equivalent to a conviction. Provides that a person may not operate a snowmobile or watercraft while his or her privilege to do so has been revoked in this State, by another State, or by a province of Canada. Provides that the Department of Natural Resources shall suspend for one year the watercraft operating privileges of any person convicted of misdemeanor of OUI under a local ordinance or federal law and for three years the privileges of anyone convicted of felony OUI or reckless homicide. Requires the operator of a vessel to report an accident involving any injury requiring treatment beyond first aid (rather than any injury resulting in the victim's incapacitation for a period of 72 hours). Requires reporting of a watercraft accident resulting in \$2,000 or more in property damage or complete loss of a vessel (rather than reporting of any accident resulting in \$500 or more in property damage).

May 11 05 H Passed Both Houses

HB 01343 Rep. William Delgado-Cynthia Soto-Maria Antonia Berrios-Michelle Chavez, Lou Lang, Milton Patterson, Richard T. Bradley and Robert Rita
(Sen. Iris Y. Martinez-Christine Radogno-Jacqueline Y. Collins)

New Act

Creates the Child Welfare Student Loan Forgiveness Act. Establishes the Child Welfare Student Loan Forgiveness Program to provide loan assistance, subject to appropriation, to eligible students for upper-division undergraduate and graduate study in social work or human services. Provides that forgivable loans may be awarded for a maximum of 2 academic years and requires a loan recipient to work in child welfare at the Department of Children and Family Services, its successor, or a contracting agency for at least the number of years for which the loan is received. Sets maximum amounts for the loans at \$4,000 for loans awarded at the undergraduate level and \$8,000 for loans awarded at the graduate level. Contains provisions concerning eligibility, repayment, credit, and a penalty for non-compliance.

May 11 05 H Passed Both Houses

HB 01344 Rep. Careen M Gordon, Jack D. Franks and Linda Chapa LaVia-Lisa M. Dugan
(Sen. James F. Clayborne, Jr.)

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person who knowingly violates the Automotive Collision Repair Act commits an unlawful practice within the meaning of the Act.

May 11 05 H Passed Both Houses

94th General Assembly
Synopsis of Legislation Passed Both Houses
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HB 01345 Rep. David E. Miller and Robin Kelly
(Sen. M. Maggie Crotty-Jacqueline Y. Collins and Martin A. Sandoval)

405 ILCS 30/4.4 new

405 ILCS 30/4.5 new

Amends the Community Services Act. Provides that whenever any appropriation, or any portion of an appropriation, for any fiscal year relating to the funding of any State-operated facility operated by the Office of Developmental Disabilities within the Department of Human Services or any mental health facility operated by the Office of Mental Health within the Department is reduced because of any of the following reasons, those moneys must be directed toward providing other services and supports for persons with developmental disabilities or mental health needs: (1) closing of a State-operated facility; (2) reduction in the number of units or available beds in a State-operated facility; or (3) reduction in the number of staff at a State-operated facility. Provides that in determining whether any savings are realized from closure of a State-operated facility or a reduction in the number of units, available beds, or staff, sufficient moneys shall be made available to ensure that there is an appropriate level of staffing and that life, safety, and care concerns are addressed so as to provide for the remaining persons with developmental disabilities or mental illness at State-operated facilities. Provides that the plan for using any savings realized from such a closure or reduction must be shared and discussed with advocates, advocacy organizations, and advisory groups whose mission includes advocacy for persons with developmental disabilities or persons with mental illness. Effective immediately.

May 11 05 H Passed Both Houses

HB 01351 Rep. Deborah L. Graham-Sidney H. Mathias-Paul D. Froehlich, Richard T. Bradley, Jack D. Franks and Linda Chapa LaVia
(Sen. Jacqueline Y. Collins-Martin A. Sandoval)

625 ILCS 5/11-401 from Ch. 95 1/2, par. 11-401

625 ILCS 5/11-501.1 from Ch. 95 1/2, par. 11-501.1

Amends the Illinois Vehicle Code. Provides that any person arrested for leaving the scene of an accident involving death or personal injury is subject to chemical testing for alcohol, drugs, or intoxicating compounds. Provides that the person's driving privileges are subject to statutory summary suspension if he or she fails or refuses to undergo the testing.

House Amendment No. 1

Provides that the person is subject to the testing only if the testing occurs within 5 hours of the time of the occurrence of the accident that led to his or her arrest.

House Amendment No. 2

Provides that the person is subject to testing within 12 (rather than 5) hours of the time of the occurrence of the accident.

May 11 05 H Passed Both Houses

94th General Assembly
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HB 01370 Rep. Larry McKeon-Charles E. Jefferson-Brandon W. Phelps-Cynthia Soto-William Davis, Deborah L. Graham, Mike Boland, Angelo Saviano, Donald L. Moffitt, Michael P. McAuliffe, Patrick J Verschoore, Jack McGuire, Lou Lang, Jack D. Franks and Linda Chapa LaVia
 (Sen. Gary Forby and Rickey R. Hendon-James F. Clayborne, Jr.-Edward D. Maloney-Jacqueline Y. Collins)

820 ILCS 130/6 from Ch. 48, par. 39s-6

820 ILCS 130/11 from Ch. 48, par. 39s-11

820 ILCS 130/11a from Ch. 48, par. 39s-11a

820 ILCS 130/11b

Amends the Prevailing Wage Act. Provides that specified violations of the Act are Class A (rather than Class B) misdemeanors. Provides that a contractor or subcontractor who pays a worker less than the stipulated rates for work performed under a contract is liable to the Department of Labor for 50% (rather than 20%) of the underpayment and is liable to the worker for punitive damages in the amount of 5% (rather than 2%) of the amount of the penalty to the State for each month following the date of payment during which the underpayment remains unpaid. Provides that the list of contractors or subcontractors found to have disregarded their obligations to employees under the Act shall include contractors or subcontractors who, on 2 separate occasions within 5 years (rather than on 2 separate occasions, without regard to a time period), have been determined to have violated the Act. Provides that no contract may be awarded to a contractor or subcontractor appearing on the list, or to an entity in which the contractor or subcontractor has an interest, until 5 (rather than 2) years have elapsed from the date of publication of the list. Provides that a party violating provisions protecting whistle blowers is liable to the Department of Labor for a penalty of \$5,000 for each violation.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of House Bill 1370 it has been determined that the legislation would neither increase nor decrease the number of judges needed in the State.

Fiscal Note (Department of Labor)

House Bill 1370 will not have a fiscal impact on the Department of Labor.

Correctional Note (Department of Corrections)

Corrections Population Impact: None; Fiscal Impact: None.

House Amendment No. 1

Deletes language that increased the penalty and punitive damages for all underpayments. Adds language increasing the penalty and punitive damages for underpayments in the case of a second or subsequent action to recover underpayments against a contractor or subcontractor. Provides that no contract may be awarded to a contractor or subcontractor appearing on the list of contractors or subcontractors found to have disregarded their obligations to employees under the Act, or to an entity in which the contractor or subcontractor has an interest, until 4 (rather than 5 in the introduced bill) years have elapsed from the date of publication of the list.

Fiscal Note (H-AM 1)(Illinois Department of Labor)

Administration of the Act would not have a fiscal impact to implement.

May 12 05 H Passed Both Houses

HB 01383 Rep. Rich Brauer
 (Sen. Larry K. Bomke)

40 ILCS 5/14-130 from Ch. 108 1/2, par. 14-130

Amends the State Employee Article of the Illinois Pension Code. Provides that, instead of repaying the entire amount of a refund, a member may repay a portion of the refund and receive credit for the portion of the refund that was repaid. Effective immediately.

May 12 05 H Passed Both Houses

HB 01386 Rep. Jay C. Hoffman-William B. Black-Patrick J Verschoore
 (Sen. John M. Sullivan)

625 ILCS 5/15-307 from Ch. 95 1/2, par. 15-307

Amends the Illinois Vehicle Code. Sets fees of \$250 quarterly and \$1,000 annually for special permits for continuous limited operation of trucks that exceed wheel and axle load limits. Provides that all single axles, excluding the steer axle, and axles within a tandem are limited to 24,000 pounds or less, unless otherwise noted in the new language. Provides that the permits allow loads up to 12 feet wide and 110 feet in length. Provides that front tag axle and double tandem trailers are not eligible for the permits.

May 12 05 H Passed Both Houses

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HB 01391 Rep. Daniel J. Burke-Angelo Saviano-William B. Black
 (Sen. Terry Link-Dan Rutherford)

765 ILCS 1025/3a new

765 ILCS 1025/11 from Ch. 141, par. 111

765 ILCS 1025/12 from Ch. 141, par. 112

30 ILCS 105/5.640 new

30 ILCS 105/8h

30 ILCS 105/8j

Amends the Uniform Disposition of Unclaimed Property Act. Provides that funds and stock distributable in the course of a demutualization, rehabilitation, or related reorganization of an insurance company shall be deemed abandoned in the listed time frames. Provides that funds and stock deemed abandoned in the course of a demutualization, rehabilitation, or related reorganization of an insurance company shall be held in the Demutualization Trust Fund. Provides that the State Treasurer shall set a date that the required report and remittance of the funds and stock deemed abandoned in the course of a demutualization, rehabilitation, or related reorganization of an insurance company shall be filed. Provides that the names of owners that are identified and contacted directly by the State Treasurer do not have to be published as required under the notice requirements. Amends the State Finance Act. Creates the Demutualization Trust Fund. Exempts the Demutualization Trust Fund from transfers to the General Revenue Fund. Effective immediately.

House Amendment No. 1

Provides that the date that the report must be filed shall be the later of (i) 30 days after the effective date of the amendatory Act of the 94th General Assembly, or (ii) November 1, 2005.

May 12 05 H Passed Both Houses

HB 01395 Rep. Angelo Saviano-Michael P. McAuliffe
 (Sen. Don Harmon and Dan Cronin)

5 ILCS 220/3.6 from Ch. 127, par. 743.6

Amends the Intergovernmental Cooperation Act. Permits a special district that is coterminous with or entirely within the boundaries of a township to merge into the township (now, permitted only in counties with less than 1,000,000 population).

May 12 05 H Passed Both Houses

HB 01402 Rep. Michael K. Smith-Aaron Schock and Karen A. Yarbrough
 (Sen. Mike Jacobs-Martin A. Sandoval)

50 ILCS 745/2 from Ch. 85, par. 2502

50 ILCS 745/3.2 from Ch. 85, par. 2505

Amends the Firemen's Disciplinary Act. With respect to certain periods of suspension, changes references to "24 duty hours" (now, "72 hours"). Effective immediately.

May 12 05 H Passed Both Houses

HB 01406 Rep. Milton Patterson-Julie Hamos-William Davis-Mary E. Flowers-Constance A. Howard, William B. Black, Annazette Collins, William Delgado, Patricia R. Bellock, Robert S. Molaro, Patricia Bailey, John E. Bradley, Shane Cultra, Lovana Jones, Frank J. Mautino, David Reis, Jim Sacia, Arthur L. Turner, Wyvetter H. Younge and Cynthia Soto
 (Sen. Jacqueline Y. Collins)

305 ILCS 5/12-13.05

Amends the Illinois Public Aid Code. In provisions concerning rules regulating the Temporary Assistance for Needy Families (TANF) program, eliminates provisions (i) repealing all rules regulating that program on July 1, 2006 and (ii) prohibiting the adoption of rules regulating that program after that date.

May 12 05 H Passed Both Houses

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HB 01411 Rep. Jay C. Hoffman-Thomas Holbrook-Jim Watson
(Sen. James F. Clayborne, Jr., Antonio Munoz and Larry K. Bomke)

625 ILCS 5/1-100 from Ch. 95 1/2, par. 1-100

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/1-100

Adds reference to:

625 ILCS 5/18b-106.2 new

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that the Department of Transportation shall declare that an emergency exists under federal regulations if a utility service provider informs the Department of a utility service interruption emergency. Provides that the Department may refuse to grant emergency declarations for a utility found to have abused the notification procedure. Provides that a person is exempt from any regulation of the maximum hours of service that an employee may work under federal regulations if he or she (i) is the holder of a commercial driver's license, (ii) is an employee, in an employment capacity in which the commercial driver's license is used, of a utility service provider or of a contractor or subcontractor of a utility service provider, and (iii) operates a commercial motor vehicle as a utility service vehicle and engages in intrastate maintenance or repair work in response to a utility service interruption emergency. Provides that the exemption from maximum hours of service regulations provided under the provisions shall not exceed the duration of the utility service provider's or driver's direct assistance in providing utility service interruption emergency relief, or 5 days from the date of the initial declaration, whichever is less. Provides that nothing in the new provisions shall be construed to contravene any federal law or to jeopardize State of Illinois entitlement to federal funding. Contains severability provisions. Effective immediately.

May 12 05 H Passed Both Houses

HB 01428 Rep. Karen A. Yarbrough-Paul D. Froehlich-Constance A. Howard-Marlow H. Colvin-Milton Patterson and Cynthia Soto
(Sen. Iris Y. Martinez-Jacqueline Y. Collins)

35 ILCS 200/20-26 new

Amends the Property Tax Code. Provides that when any mortgagee pays the taxes charged on any property, the mortgagee, within 7 business days of the payment, must notify the mortgagor of the property, by certified mail, of (1) the date the taxes were paid, (2) the amount of taxes paid, and (3) which installment was paid. Effective immediately.

House Amendment No. 1

Deletes the requirement that the notice of the payment of property taxes by a mortgagee be made by certified mail.

House Amendment No. 3

Deletes reference to:

35 ILCS 200/20-26 new

Adds reference to:

765 ILCS 910/2 from Ch. 17, par. 4902

Adds reference to:

765 ILCS 910/4 from Ch. 17, par. 4904

Adds reference to:

765 ILCS 910/15 new

Deletes everything. Amends the Mortgage Escrow Account Act. Provides that the definition of "mortgage lender" includes savings banks, credit unions, mortgage bankers, and entities that service mortgage loans, and deletes a provision that "mortgage lender" includes building and loan associations. Requires that, when any mortgage lender pays the property tax from an escrow account, the mortgage lender must give the borrower written notice within 45 business days after the tax payment. Sets forth requirements for the notice. Effective immediately.

House Amendment No. 4

Deletes the provision that the notice of a tax payment must set forth the installment that was paid. Deletes the immediate effective date provision.

State Mandates Fiscal Note (H-AM 3)(Dept. of Commerce and Economic Opportunity)

In the opinion of DCEO, HB 1428 (H-AM 3) does not create a State mandates under the State Mandates Act.

Fiscal Note (H-AM 3)(Department of Revenue)

House Bill 1428 (H-AM 3) does not have a fiscal impact on the Illinois Department of Revenue.

May 12 05 H Passed Both Houses

HB 01430 Rep. JoAnn D. Osmond-Constance A. Howard-Mark H. Beaubien, Jr.-Ed Sullivan, Jr.-Ruth Munson and Karen May
(Sen. William E. Peterson-Jacqueline Y. Collins and Pamela J. Althoff)

210 ILCS 45/3-610 from Ch. 111 1/2, par. 4153-610

Amends the Nursing Home Care Act. Provides that a nursing home employee or agent who becomes aware of another employee or agent's theft or misappropriation of a resident's property must immediately report the matter to the facility administrator. Provides that a facility administrator who becomes aware of a nursing home employee or agent's theft or misappropriation of a resident's property must immediately report the matter by telephone and in writing to the resident's representative, to the Department of Public Health, and to the local law enforcement agency. Prohibits retaliation against a nursing home employee or agent who reports the theft or misappropriation of a resident's property.

House Amendment No. 1

Adds reference to:

210 ILCS 45/1-116.5 new

Further amends the Nursing Home Care Act. Defines "misappropriation of a resident's property" as the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a resident's belongings or money without the resident's consent.

May 12 05 H Passed Both Houses

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HB 01432 Rep. Tom Cross-Sidney H. Mathias-Roger Jenisch-Sandra M. Pihos-Patricia R. Bellock, John J. Millner and James H. Meyer
(Sen. Kirk W. Dillard-Martin A. Sandoval-Edward D. Maloney)

720 ILCS 5/12-2 from Ch. 38, par. 12-2

720 ILCS 5/12-4 from Ch. 38, par. 12-4

Amends the Criminal Code of 1961. Provides that aggravated assault or aggravated battery also occurs when the individual assaulted or battered or the person committing the assault or battery is in or about a publicly or privately owned sports or entertainment arena, stadium, community or convention hall, special event center, amusement facility, or a special event center in a public park during any 24-hour period when a professional sporting event, National Collegiate Athletic Association (NCAA)-sanctioned sporting event, United States Olympic Committee-sanctioned sporting event, or International Olympic Committee-sanctioned sporting event is taking place in the venue.

May 12 05 H Passed Both Houses

HB 01434 Rep. Milton Patterson-Patricia Bailey-William Davis-Mary E. Flowers-Karen A. Yarbrough, Careen M Gordon, Cynthia Soto, Deborah L. Graham, Jack D. Franks, Linda Chapa LaVia, Wyvetter H. Younge and Arthur L. Turner
(Sen. Iris Y. Martinez-Jacqueline Y. Collins, Martin A. Sandoval and Pamela J. Althoff)

720 ILCS 5/15-10 new

720 ILCS 5/16-1 from Ch. 38, par. 16-1

Amends the Criminal Code of 1961. For the purposes of property offenses, defines "governmental property" as funds or other property owned by the State, a unit of local government, or a school district. Provides for enhanced penalties for theft of governmental property. Establishes the same penalties for this offense as the penalties for theft committed in a school or place of worship.

Correctional Note (Dept of Corrections)

The total impact of House Bill 1434 would result in an increase of 41 inmates, with additional operating costs of \$8,183,700 and construction costs of \$2,378,400 over ten years.

May 12 05 H Passed Both Houses

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SB 00003 Sen. Emil Jones, Jr.-Don Harmon, Louis S. Viverito-Edward D. Maloney-Jacqueline Y. Collins, Ira I. Silverstein, Kirk W. Dillard-Susan Garrett, Jeffrey M. Schoenberg, Carole Pankau, Mattie Hunter, Carol Ronen, Kwame Raoul, Iris Y. Martinez, M. Maggie Crotty, Martin A. Sandoval, Antonio Munoz, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, James T. Meeks, James A. DeLeo and George P. Shadid
 (Rep. Patricia R. Bellock-Eddie Washington-Eileen Lyons-William Delgado-Sara Feigenholtz, Ed Sullivan, Jr., Kathleen A. Ryg, Sandra M. Pihos, Robin Kelly, Monique D. Davis, Robert W. Pritchard, Edward J. Acevedo, Jack D. Franks, Linda Chapa LaVia and Karen May)

105 ILCS 5/2-3.123

Amends the School Code. Provides that the State Board of Education shall implement and administer a Giant Steps Autism Center for Excellence pilot program for the study and evaluation of autism and to provide related training for teachers, paraprofessionals, and respite workers, therapist training, and consultative services. Provides that the State Board of Education is authorized to make grants to school districts and other programs that apply to participate in the Giant Steps Autism Center for Excellence program. Effective immediately.

May 05 05 S Passed Both Houses

SB 00012 Sen. Mattie Hunter-James A. DeLeo-Arthur J. Wilhelmi-Jacqueline Y. Collins-Ira I. Silverstein, Donne E. Trotter, Martin A. Sandoval, M. Maggie Crotty, Susan Garrett, Iris Y. Martinez, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, James T. Meeks and Kwame Raoul
 (Rep. Sara Feigenholtz-Michelle Chavez-Charles E. Jefferson-Eddie Washington, Linda Chapa LaVia, Edward J. Acevedo, Daniel V. Beiser, Lisa M. Dugan, Mary E. Flowers, John E. Bradley, David E. Miller, Milton Patterson, Wyvetter H. Younge, William Davis, Arthur L. Turner, Monique D. Davis, Gary Hannig, Annazette Collins, Kathleen A. Ryg, Kevin Joyce, Harry Osterman, Patrick J. Verschoore, John A. Fritchey, Jack McGuire, Eileen Lyons, Patricia Bailey, Brandon W. Phelps, Jack D. Franks, Careen M. Gordon, Naomi D. Jakobsson, Cynthia Soto and William Delgado)

215 ILCS 5/356g from Ch. 73, par. 968g

215 ILCS 125/4-6.1 from Ch. 111 1/2, par. 1408.7

Amends the Illinois Insurance Code and the Health Maintenance Organization Act. Requires coverage of mammograms for women under 40 years of age with a family history of breast cancer or other risk factors at the age and intervals deemed medically necessary by the woman's health care provider. Effective immediately.

May 04 05 S Passed Both Houses

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SB 00015 Sen. John M. Sullivan-Deanna Demuzio-Jeffrey M. Schoenberg, Antonio Munoz and Arthur J. Wilhelmi-Martin A. Sandoval
 (Rep. Robert F. Flider-Daniel V. Beiser-John E. Bradley-Kurt M. Granberg-Lisa M. Dugan, Gary Hannig and Careen M. Gordon)

20 ILCS 605/605-412 new

30 ILCS 105/5.640 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Creates the Rural Microbusiness Loan Program to provide \$250,000 per fiscal year in loans for the establishment or support of businesses that: (i) employ 5 or fewer employees; (ii) are located in rural counties with a population of 100,000 or less; and (iii) are based on the production, processing, or marketing of agricultural products, forest products, cottage and craft products, or tourism. Limits the total amount of loans made to any borrower to \$25,000 per fiscal year. Requires the Department to adopt rules concerning the administration of the program and to create a competitive application procedure. Requires a borrower to provide a certain portion of the financing for the project. Limits the term of the loan to no more than 5 years. Contains provisions concerning the interest rate, security required for the loan, and other terms. Provides that all interest generated by the loans shall be deposited into the Rural Microbusiness Loan Program Administrative Fund, a special fund in the State treasury, for the purpose of paying expenses related to the administration of the Rural Microbusiness Loan Program. Amends the State Finance Act to create the Rural Microbusiness Loan Program Administrative Fund. Effective immediately.

Fiscal Note (Department of Commerce and Economic Opportunity)

The fiscal impact of Senate Bill 15 on the Department of Commerce and Economic Opportunity is estimated to be up to \$250,000 per fiscal year to make Rural Microbusiness Loans. The Department estimates that existing staff can be used to address all administrative duties associated with this new program.

Senate Floor Amendment No. 1

Deletes reference to:

20 ILCS 605/605-412 new

Deletes reference to:

30 ILCS 105/5.640 new

Adds reference to:

30 ILCS 750/9-4.2

from Ch. 127, par. 2709-4.2

Adds reference to:

30 ILCS 750/9-4.2a new

Deletes everything after the enacting clause. Amends the Build Illinois Act. Establishes guidelines for the Department of Commerce and Economic Opportunity in the making of loans for rural micro-businesses and requires the Department to adopt rules for the administration of those loans. Defines "rural micro-business" as any business that (i) employees 5 or fewer full-time employees, including the owner if the owner is an employee of the business, and (ii) is based on the production, processing, or marketing of agricultural products, cottage and craft products, or tourism. Provides that certain direct appropriations from the General Revenue Fund by the General Assembly shall be deposited into the Illinois Capital Revolving Loan Fund. Effective immediately.

May 04 05 S Passed Both Houses

Legislative Information System
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SB 00040 Sen. Miguel del Valle-Jacqueline Y. Collins-Susan Garrett-Dale E. Risinger-Deanna Demuzio, Larry K. Bomke, Mattie Hunter, Pamela J. Althoff, M. Maggie Crotty, Kathleen L. Wojcik, Gary Forby, Edward D. Maloney, Martin A. Sandoval, Antonio Munoz, Ira I. Silverstein, Iris Y. Martinez, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, James T. Meeks and Kirk W. Dillard
(Rep. Linda Chapa LaVia-Edward J. Acevedo-Michelle Chavez-Charles E. Jefferson-Patricia Bailey, Daniel V. Beiser, John E. Bradley, Careen M Gordon, Michael P. McAuliffe, Brandon W. Phelps, Robin Kelly, Jim Sacia, Robert F. Flider, Naomi D. Jakobsson, Kurt M. Granberg, Kevin A. McCarthy, Richard T. Bradley, James D. Brosnahan, Kevin Joyce, John D'Amico, Eddie Washington, Lisa M. Dugan, Gary Hannig, Annazette Collins, Kathleen A. Ryg, Milton Patterson, Jack D. Franks and William Delgado)

20 ILCS 2805/2 from Ch. 126 1/2, par. 67

Amends the Department of Veterans Affairs Act. Requires the Department of Veterans' Affairs to conduct an annual review comparing the benefits that Illinois veterans receive with those benefits received by veterans in other states and U.S. territories. Provides that this benefits review shall be annually reported to the Governor, the General Assembly, and the Illinois Congressional delegation. Effective January 1, 2006.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinstates the provisions of the bill as introduced, but sets forth additional requirements for the annual review of benefits. Effective January 1, 2006.

May 04 05 S Passed Both Houses

SB 00045 Sen. John J. Cullerton
(Rep. Paul D. Froehlich-Sidney H. Mathias-Thomas Holbrook)

725 ILCS 225/5 from Ch. 60, par. 22

Amends the Uniform Criminal Extradition Act. Provides that a person incarcerated in any federal facility may be released to the custody of the duly accredited officers or designees of those officers of a foreign state if: (1) the person has violated the terms of his or her probation, post-release supervision, parole, or has an unexpired sentence in the foreign state; (2) the foreign state has personal jurisdiction over that person; and (3) the foreign state has issued a valid warrant for the apprehension of that person or has issued a commitment order to serve a sentence in a state or local correctional facility. Provides that all legal requirements to obtain extradition of fugitives from justice are expressly waived by the State of Illinois as to those persons. Effective October 1, 2005.

May 04 05 S Passed Both Houses

SB 00064 Sen. Dave Sullivan-Edward D. Maloney, Martin A. Sandoval, Pamela J. Althoff, Adeline Jay Geo-Karis, Antonio Munoz, Ira I. Silverstein, Iris Y. Martinez, Jacqueline Y. Collins, Kirk W. Dillard and Mattie Hunter
(Rep. Sidney H. Mathias-Lisa M. Dugan-Monique D. Davis, Careen M Gordon, Naomi D. Jakobsson, Robin Kelly and William Delgado)

105 ILCS 5/27-23.3 from Ch. 122, par. 27-23.3

Amends the School Code. Requires a school district to provide steroid abuse prevention education to students who participate in interscholastic athletic programs.

May 04 05 S Passed Both Houses

SB 00072 Sen. Don Harmon-Martin A. Sandoval
(Rep. Patricia Reid Lindner, Jack D. Franks and Linda Chapa LaVia)

725 ILCS 5/100-1 from Ch. 38, par. 100-1

Amends the Code of Criminal Procedure of 1963. Makes a technical change in a Section concerning the short title Section.

Senate Floor Amendment No. 1

Deletes reference to:

725 ILCS 5/100-1

Adds reference to:

705 ILCS 405/5-401.5

Adds reference to:

725 ILCS 5/103-2.1

Deletes everything after the enacting clause. Amends the Juvenile Court Act of 1987 and the Code of Criminal Procedure of 1963. Provides that the provisions requiring the videotaping of custodial interrogations in homicide cases also applies to cases involving driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof that resulted in death when the violation was the proximate cause of death. Effective immediately.

May 04 05 S Passed Both Houses

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SB 00075 Sen. Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter-Christine Radogno, Kwame Raoul, Martin A. Sandoval-M. Maggie Crotty, Antonio Munoz, Miguel del Valle and James T. Meeks
 (Rep. Julie Hamos-Terry R. Parke-Raymond Poe-Karen A. Yarbrough-Deborah L. Graham, John J. Millner, Eileen Lyons, Constance A. Howard, Edward J. Acevedo, William Delgado, William Davis, Annazette Collins, Patricia Bailey, Cynthia Soto, Arthur L. Turner, Maria Antonia Berrios, John A. Fritchey, Barbara Flynn Currie, Harry Osterman, Sara Feigenholtz, Eddie Washington, Paul D. Froehlich, Milton Patterson, Wyvetter H. Younge, Calvin L. Giles, Kenneth Dunkin, Sidney H. Mathias, Monique D. Davis and Richard T. Bradley)

New Act

30 ILCS 105/5.640 new

55 ILCS 5/3-5018 from Ch. 34, par. 3-5018

55 ILCS 5/4-12002 from Ch. 34, par. 4-12002

Creates the Rental Housing Support Program Act. Provides for grants from the Illinois Housing Development Authority to local administering agencies to provide subsidies for landlords to charge rent affordable for low-income tenants. Also provides for grants from the Illinois Housing Development Authority to developers of affordable rental housing. Sets forth criteria for the awarding of grants. Requires the Authority to establish an operating reserve for the program. Amends the State Finance Act to create the Rental Housing Support Program Fund, a special fund in the State treasury. Amends the Counties Code. Provides that the county recorder shall collect a \$10 surcharge for the recordation of any real estate-related document, one dollar of which shall be deposited into the county's general revenue fund and \$9 of which shall be deposited into the Rental Housing Support Program Fund. Sets forth the conditions upon which and purposes for which expenditures may be made from the Accounts. Effective July 1, 2005.

Senate Committee Amendment No. 3

Deletes everything. Reinserts the provisions of the bill as introduced but makes the following changes. Provides that up to 20% of the funds allocated for rural areas may be awarded to one administering agency for distribution throughout the rural areas in the State. Amends the Counties Code. Provides that one dollar of the Rental Housing Support Program surcharge shall be deposited into the county's general revenue fund and fifty cents of that amount shall be used to administer the surcharge and pay any other lawful expenses of the recorder. Provides that the county shall not offset or reduce any appropriation to the recorder because of the surcharge funds received. Provides that units of local government and school districts shall not pay the surcharge. Effective July 1, 2005.

Senate Floor Amendment No. 4

Provides that the recorder may not collect the Rental Housing Support Program State surcharge from any State agency.

Fiscal Note (Department of Revenue)

Senate Bill 75 imposes a \$10 surcharge for the recordation of any real estate-related document. The Illinois Dept. of Revenue records approximately 16,000 to 18,000 liens and lien releases each year. The surcharge would cost the Dept. of Revenue approximately \$160,000 to \$180,000 per year. Additionally, the Dept. of Revenue would incur a one-time cost of approximately \$30,000 to make system changes for the administration of the program and an annual cost of between \$13,000 and \$60,000 to print the receipts required under the program. The Dept. of Revenue would also incur payroll costs of approximately \$50,000 to \$100,000 per year to administer the program. The Dept. of Revenue cannot determine costs to other agencies because we do not know how many real estate-related documents they record. There would also be a fiscal impact to local governments and school districts, which the Dept. of Revenue cannot determine.

Fiscal Note (S-AM4) (Department of Revenue)

As amended, removes the requirement for the \$10 surcharge. Therefore there is no significant fiscal impact on the Department of Revenue.

May 04 05 S Passed Both Houses

SB 00078 Sen. William R. Haine and Edward D. Maloney
 (Rep. Chapin Rose-Paul D. Froehlich-Sidney H. Mathias-Thomas Holbrook-Monique D. Davis)

725 ILCS 5/115-10.2

725 ILCS 5/115-10.4

Amends the Code of Criminal Procedure of 1963. Provides that prior statements of a witness who refuses to testify despite a court order to testify and of a deceased witness are admissible only if the prior statements were under oath and subject to cross-examination by the adverse party at the prior trial, hearing, or other proceeding. Effective immediately.

May 04 05 S Passed Both Houses

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SB 00087 Sen. Susan Garrett-Jacqueline Y. Collins-Mattie Hunter
(Rep. Karen May-Jim Watson-Eddie Washington-Elaine Nekritz)

105 ILCS 5/14-8.02 from Ch. 122, par. 14-8.02

30 ILCS 805/8.29 new

Amends the School Code. In a provision concerning the notification of a child's possible eligibility to receive services from the Illinois School for the Deaf or the Illinois School for the Visually Impaired, requires the school district to further notify parents and guardians of eligible children of the existence of other, local facilities that provide services similar to these schools and the services that the facilities provide. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

30 ILCS 805/8.29 new

Deletes everything after the enacting clause. Amends the School Code. In a provision concerning the notification of a child's possible eligibility to receive services from the Illinois School for the Deaf or the Illinois School for the Visually Impaired, provides that the school district shall make a reasonable effort to further inform parents and guardians of eligible children of the existence of other, local schools that provide services similar to these schools and the services that these other schools provide. Effective immediately.

May 04 05 S Passed Both Houses

SB 00095 Sen. Susan Garrett-Jacqueline Y. Collins
(Rep. Patricia Reid Lindner-Patricia R. Bellock, Jack D. Franks and Linda Chapa LaVia)

750 ILCS 5/504 from Ch. 40, par. 504

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that any maintenance obligation including any unallocated maintenance and child support obligation that becomes due and remains unpaid for 30 days or more shall accrue simple interest at the rate of 9% per annum.

Senate Committee Amendment No. 1

Provides that any new or existing order including any unallocated maintenance and child support order entered by the court under the Section concerning maintenance and support shall be deemed to be a series of judgments against the person obligated to pay support. Provides that each judgment shall be in the amount of each payment or installment of support and shall be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order, except that no judgment may arise as to any installment coming due after the termination of maintenance. Provides that each judgment shall have the full force, effect, and attributes of any other judgment of this State, including the ability to be enforced. Provides that a lien arises by operation of law against the real and personal property of the obligor for each installment of overdue support owed by the obligor.

Senate Floor Amendment No. 2

Provides that any maintenance obligation or any portion of any support obligation that becomes due and remains unpaid shall accrue simple interest as set forth in the listed Section (instead of that becomes due and remains unpaid for 30 days for more shall accrue simple interest at a rate of 9% per annum).

May 04 05 S Passed Both Houses

SB 00104 Sen. Kwame Raoul, Martin A. Sandoval, Antonio Munoz and James T. Meeks
(Rep. John D'Amico-Paul D. Froehlich-Sidney H. Mathias-Milton Patterson, Jack D. Franks and Linda Chapa LaVia)

720 ILCS 5/20-1.1 from Ch. 38, par. 20-1.1

Amends the Criminal Code of 1961. Provides that a person also commits aggravated arson when in the course of committing an arson he or she knowingly damages a building or structure and a correctional officer who is present at the scene acting in the line of duty is injured as a result of the fire or explosion. Effective immediately.

May 04 05 S Passed Both Houses

SB 00173 Sen. Terry Link
(Rep. Angelo Saviano-Joseph M. Lyons-Thomas Holbrook-Kurt M. Granberg and Mike Boland)

205 ILCS 305/13 from Ch. 17, par. 4414
205 ILCS 305/42 from Ch. 17, par. 4443
205 ILCS 305/47 from Ch. 17, par. 4448
205 ILCS 305/70 from Ch. 17, par. 4471

Amends the Illinois Credit Union Act. Authorizes a credit union to: (i) make reasonable contributions to certain civic, charitable, religious, or service organizations and to fundraisers to benefit persons in the credit union's service area and (ii) to act as a trustee or custodian under health savings accounts and similar tax-advantaged plans established under the federal Internal Revenue Code. Provides that loan applications shall be made in the manner prescribed by the Credit Committee, credit manager, or loan officer (now, the applications are made in writing upon a prescribed form) and may be evidenced by an electronically stored or generated record. Provides that the signature on a loan application includes any symbol executed or adopted, or any security procedure employed or adopted, using electronic means or otherwise, by or on behalf of a person with intent to authenticate a record. Prohibits any individual, firm, association, or body politic and corporate, including, without limitation, any corporation, limited liability company, general partnership, limited partnership, or joint venture that is not an authorized user from using any name or title that contains the words "credit union" or any abbreviation thereof. Authorizes the Director of the Division of Financial Institutions to impose a penalty of up to \$10,000 for each violation. Effective immediately.

May 05 05 S Passed Both Houses

SB 00214 Sen. John M. Sullivan
(Rep. Dan Reitz-Jim Watson-Kurt M. Granberg-Brandon W. Phelps and Donald L. Moffitt)

240 ILCS 40/10-15

Amends the Grain Code. Requires the Department of Agriculture to prescribe or authorize price later contract forms in electronic document format. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

240 ILCS 40/10-15

Adds reference to:

240 ILCS 40/20-20

Adds reference to:

240 ILCS 40/25-20

Adds reference to:

240 ILCS 40/30-5

Adds reference to:

240 ILCS 40/30-15

Adds reference to:

240 ILCS 40/35-5

Deletes everything after the enacting clause. Amends the Grain Code. Creates the Asset Preservation Account to be funded by the income earned on assets in the Illinois Grain Insurance Fund. Provides that this new Account may be used by the Fund Trustee for reasonable expenses incurred by the Department on or after a failure for preserving and liquidating grain assets, equity assets, collateral, and guarantees of or relating to a failed licensee, if the benefits of such preservation or liquidation outweigh the costs and all moneys in the Grain Indemnity Trust Account relating to the failure have been exhausted. Sets forth that the Asset Preservation Account shall not exceed \$50,000. Requires the Trustee to file a report of all receipts by and disbursements from the Asset Preservation Account with the Illinois Grain Insurance Corporation prior to each meeting of their Board. Prohibits payments from the Fund for claims based on fraud or illegal Acts. Authorizes payment of the costs of certain Department activities prior to the return of any remaining grain assets, equity assets, or other guarantees to the failed licensee. Amends certain other provisions to facilitate the payments from the Fund to the Asset Preservation Account.

May 05 05 S Passed Both Houses

SB 00226 Sen. John J. Cullerton
(Rep. Paul D. Froehlich-Monique D. Davis)

5 ILCS 120/2.02 from Ch. 102, par. 42.02

5 ILCS 120/2.06 from Ch. 102, par. 42.06

Amends the Open Meetings Act. Requires that public bodies with websites maintained by their own staff must post on their websites the following information, for the specified periods, with respect to their meetings: (i) the agenda of a regular meeting, until the meeting is conducted; (ii) the annual schedule of regular meetings, until public notice of another schedule is approved; (iii) notice of a regular meeting, until the meeting is conducted; and (iv) minutes of an open meeting, for at least 60 days after posting. Changes the deadline for any type of public notice of the agenda of a regular meeting from 48 to 72 hours before the meeting.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Open Meetings Act. With respect to a public body that has a website maintained by the public body's full-time staff, requires that the public body post on the website (i) notice of any agenda of a regular meeting of the public body's governing body, (ii) notice of all meetings of the governing body, and (iii) beginning July 1, 2006, minutes of regular meetings of the governing body open to the public. Specifies how long the postings must remain on the website. Provides that failure to post on the website does not invalidate meetings or actions of the governing body. Makes other changes.

May 05 05 S Passed Both Houses

SB 00292 Sen. Dale E. Risinger
(Rep. Donald L. Moffitt)

705 ILCS 405/1-5 from Ch. 37, par. 801-5

725 ILCS 120/3 from Ch. 38, par. 1403

Amends the Juvenile Court Act of 1987. In the provision that the general public except for the news media and the victim shall be excluded from any hearing, changes the reference from "victim" to "crime victim" as defined in the Rights of Crime Victims and Witnesses Act. Amends the Rights of Crime Victims and Witnesses Act. Defines "crime victim" in proceedings under the Juvenile Court Act of 1987 to include both parents of a deceased minor who is a crime victim.

May 05 05 S Passed Both Houses

SB 00311 Sen. William R. Haine
(Rep. Edward J. Acevedo)

225 ILCS 320/13.1

Amends the Illinois Plumbing License Law. Provides that an application for registration as a plumbing contractor shall be filed on or before the last day of September (rather than the last day of April) and that all plumbing contractor's registrations expire on the last day of September (rather than the last day of April) of each year. Effective immediately.

May 05 05 S Passed Both Houses

SB 00326 Sen. Jacqueline Y. Collins-Donne E. Trotter-Kwame Raoul-Mattie Hunter
(Rep. Constance A. Howard-Paul D. Froehlich-Calvin L. Giles-Robert Rita-Eddie Washington, Julie Hamos, Susana A. Mendoza, Patricia Bailey, John J. Millner, Arthur L. Turner, Richard T. Bradley and Monique D. Davis)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

730 ILCS 5/3-6-8 new

Amends the Unified Code of Corrections. Provides that the rules and regulations for the early release of a prisoner on account of good conduct shall also provide that an additional 60 days of good conduct credit shall be awarded to any prisoner who earns a high school diploma or passes the high school level Test of General Educational Development (GED) and receives a GED certificate while the prisoner is incarcerated. Provides that the Department of Corrections shall develop and establish a program designed to increase the number of committed persons enrolled in programs to obtain a high school diploma or to pass the high school level Test of General Educational Development (GED) and receive GED certificates by at least 100% over the 4-year period following the effective date of this amendatory Act. Provides that pursuant to the program, each institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in high school education programs and those who pass the high school level Test of General Educational Development (GED) and receive GED certificates, and the number of committed persons who are on waiting lists for those educational programs. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill but eliminates the award of the additional 60 days good conduct credit for prisoners earning high school diplomas. Also limits the program to committed person in the Adult Division of the Department of Corrections. Effective immediately.

May 05 05 S Passed Both Houses

94th General Assembly
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SB 00328 Sen. Arthur J. Wilhelmi-M. Maggie Crotty and Dale A. Richter-Louis S. Viverito-John M. Sullivan
 (Rep. Robert W. Pritchard-Linda Chapa LaVia-Edward J. Acevedo-Patricia Bailey-Robert F. Flider, Daniel V. Beiser, John E. Bradley, David E. Miller, Robin Kelly, Milton Patterson, William Davis, Wyvetter H. Younge, Arthur L. Turner, Careen M. Gordon, Brandon W. Phelps, Donald L. Moffitt, Lisa M. Dugan, Kurt M. Granberg, Monique D. Davis, Naomi D. Jakobsson, Kathleen A. Ryg, Annazette Collins, Eddie Washington, Jack D. Franks, Mike Boland, Patrick J. Verschoore, Elizabeth Coulson, Roger L. Eddy and William Delgado)

New Act

30 ILCS 105/5.640 new

Creates the Helping Heroes Child Care Program Act and amends the State Finance Act. Establishes the Helping Heroes Child Care Program for the purpose of providing vouchers for child care to Illinois families who have one or more parents deployed to Iraq or Afghanistan by the armed services. Provides for the program to be administered by the Department of Human Services, but only if federal funding is made available for that purpose. Provides that any such federal moneys received by the State shall be deposited into the Fund for Child Care for Deployed Military Personnel, which is created as a special fund in the State treasury. Provides for income eligibility criteria to be established by the Department by rule. Provides that a family that received child care assistance before the parent's deployment to Iraq or Afghanistan is eligible only for a voucher for the cost of any additional hours of child care that are necessary by reason of that deployment. Provides that a family is not eligible for a child care voucher if the family receives child care services from the United States military. Effective immediately.

May 05 05 S Passed Both Houses

SB 00416 Sen. Kwame Raoul-Kirk W. Dillard-Pamela J. Althoff-Don Harmon-Jacqueline Y. Collins and Peter J. Roskam
 (Rep. Constance A. Howard-Elaine Nekritz-Aaron Schock-Michael K. Smith-Cynthia Soto, Daniel V. Beiser, Naomi D. Jakobsson, Brandon W. Phelps, Robert F. Flider, Edward J. Acevedo, Linda Chapa LaVia, William Delgado, Michelle Chavez, Gary Hannig, Kathleen A. Ryg, Annazette Collins, Monique D. Davis, John D'Amico and Eddie Washington)

740 ILCS 45/2 from Ch. 70, par. 72

Amends the Crime Victims Compensation Act. Provides that the definition of "pecuniary loss" includes the first month's rent and security deposit of the dwelling that the claimant relocated to and other reasonable relocation expenses incurred as a result of the violent crime.

May 05 05 S Passed Both Houses

SB 00426 Sen. George P. Shadid and Martin A. Sandoval
 (Rep. Aaron Schock)

820 ILCS 405/1502.1 from Ch. 48, par. 572.1

Amends provisions of the Unemployment Insurance Act providing that an employer is not chargeable for benefit charges resulting from the payment of benefits to an individual if the employer's business is closed solely because of the entrance of the employer or a partner, officer, or majority stockholder of the employer into active duty in the Illinois National Guard or the Armed Forces. Provides that those provisions apply notwithstanding any other provision of the Act, including those affecting finality of benefit charges or rates. Also provides that those provisions apply to benefit charges that result from the payment of benefits to an individual for any week of unemployment after January 1, 2003. Effective immediately.

May 05 05 S Passed Both Houses

94th General Assembly
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All legislation through May 13, 2005

SB 00452 Sen. M. Maggie Crotty and Pamela J. Althoff-Jacqueline Y. Collins
(Rep. Patricia Reid Lindner, Jack D. Franks and Linda Chapa LaVia)

305 ILCS 5/10-1 from Ch. 23, par. 10-1

305 ILCS 5/10-16.5

735 ILCS 5/12-109 from Ch. 110, par. 12-109

750 ILCS 5/505 from Ch. 40, par. 505

750 ILCS 16/20

750 ILCS 16/23

750 ILCS 28/15

750 ILCS 45/20.7

Amends the Illinois Public Aid Code, the Code of Civil Procedure, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support Punishment Act, the Income Withholding for Support Act, and the Illinois Parentage Act of 1984. Replaces the provisions concerning interest on child support judgments. Provides for the accrual of interest on a child support obligation that becomes due and remains unpaid as of the end of each month (instead of for 30 days or more). Provides that the interest on child support judgments shall be calculated by applying one-twelfth of the current statutory interest rate as provided in the Code of Civil Procedure to the unpaid child support balance as of the end of each calendar month. Provides that monthly child support payments shall be applied first to the current monthly child support obligation, then to any unpaid child support balance owed from previous months, and finally to the accrued interest on the unpaid child support balance. Provides that interest on child support obligations may be collected by any means available under federal or State law or rules. Effective January 1, 2006.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Reinserts provisions substantially similar to those of Senate Bill 452, except provides that interest shall accrue on the amount of a child support obligation that remains unpaid at the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month (instead of simply the amount remaining unpaid at the end of each month). Effective January 1, 2006.

May 05 05 S Passed Both Houses

SB 00459 Sen. Arthur J. Wilhelmi and Dale E. Risinger
(Rep. Jack McGuire)

625 ILCS 5/2-123 from Ch. 95 1/2, par. 2-123

Amends the Illinois Vehicle Code. Provides that the Secretary of State may, in his or her discretion, furnish vehicle or driver data on an electronic format or computer processible medium, at no fee, to any State or local governmental agency that uses the information to transmit data back to the Secretary that enables the Secretary to maintain accurate driving records. Provides that this information may be provided without fee not more often than once every 6 months. Effective immediately.

May 03 05 S Passed Both Houses

SB 00460 Sen. Richard J. Winkel, Jr.
(Rep. Sidney H. Mathias)

755 ILCS 5/25-1 from Ch. 110 1/2, par. 25-1

Amends provisions of the Probate Act of 1975 concerning small estate affidavits. Provides that any action properly taken under those provisions, as amended by Public Act 93-877 (which increased the permissible maximum value of the decedent's personal estate from \$50,000 to \$100,000), on or after the effective date of that Public Act is valid regardless of the date of death of the decedent. Effective immediately.

May 05 05 S Passed Both Houses

94th General Assembly
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SB 00489 Sen. Carole Pankau and Steven J. Rauschenberger
 (Rep. Sidney H. Mathias)

| | |
|------------------|--------------------------|
| 55 ILCS 5/2-3009 | from Ch. 34, par. 2-3009 |
| 55 ILCS 5/2-5007 | from Ch. 34, par. 2-5007 |
| 55 ILCS 5/3-5004 | from Ch. 34, par. 3-5004 |
| 55 ILCS 5/3-6002 | from Ch. 34, par. 3-6002 |
| 605 ILCS 5/6-116 | from Ch. 121, par. 6-116 |

Amends the Counties Code and the Illinois Highway Code. Changes obsolete references to the date that various local government officers take office to conform to current law.

Senate Floor Amendment No. 1

Deletes reference to:

55 ILCS 5/2-3009

Deletes reference to:

55 ILCS 5/2-5007

Deletes reference to:

55 ILCS 5/3-5004

Deletes reference to:

55 ILCS 5/3-6002

Adds reference to:

55 ILCS 5/2-3007 from Ch. 34, par. 2-3007

Adds reference to:

605 ILCS 5/6-116 from Ch. 121, par. 6-116

Deletes everything after the enacting clause. Amends the Counties Code. Provides that the term of a county board chairperson begins on the first (now, third) Monday of the month following the election of county board members. Amends the Illinois Highway Code. Provides that the term of a highway commissioner begins on the third (now, first) Monday in May.

May 05 05 S Passed Both Houses

SB 00517 Sen. Don Harmon-Mattie Hunter
 (Rep. Paul D. Froehlich-Sidney H. Mathias)

705 ILCS 305/10.3 new

Amends the Jury Act. Provides that any mother nursing her child shall, upon request, be excused from jury service.

May 05 05 S Passed Both Houses

SB 00521 Sen. Iris Y. Martinez-Mattie Hunter-Carol Ronen-Martin A. Sandoval, Miguel del Valle-Jacqueline Y. Collins and Mike Jacobs
 (Rep. Harry Osterman-Frank J. Mautino-Karen A. Yarbrough-Elizabeth Coulson, David E. Miller, Robin Kelly, Milton Patterson, Wyvetter H. Younge, William Davis, Arthur L. Turner, Elaine Nekritz, Deborah L. Graham-Eddie Washington, Monique D. Davis, Karen May, Naomi D. Jakobsson, John E. Bradley, Kevin A. McCarthy, Terry R. Parke, Sandra M. Pihos, Kurt M. Granberg, Annazette Collins, Gary Hannig and William Delgado)

215 ILCS 5/356u

Amends the Illinois Insurance Code. Requires insurers to cover surveillance tests for ovarian cancer for female insureds who are at risk for ovarian cancer. Provides a definition for "at risk for ovarian cancer" and "surveillance tests for ovarian cancer". Effective January 1, 2006.

Senate Floor Amendment No. 2

Requires surveillance tests (rather than routine surveillance tests) for ovarian cancer for female insureds who are at risk for ovarian cancer. Changes the definition of "at risk for ovarian cancer" to include having a family history with one or more first-degree (rather than first or second-degree) relatives with ovarian cancer. Changes the definition of "surveillance tests for ovarian cancer" to delete screenings using other proven ovarian screening tests currently being evaluated by the federal Food and Drug Administration or by the National Cancer Institute.

May 03 05 S Passed Both Houses

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SB 00526 Sen. Carol Ronen, Mattie Hunter-Jacqueline Y. Collins-Iris Y. Martinez-Don Harmon, Dale A. Righter-M. Maggie Crotty, Jeffrey M. Schoenberg and Kirk W. Dillard
(Rep. Harry Osterman-Lou Lang-Eileen Lyons-Barbara Flynn Currie-Elizabeth Coulson, John A. Fritchey, Kevin Joyce, David E. Miller, Milton Patterson, Robin Kelly, Wyvetter H. Younge, William Davis, Arthur L. Turner, Elaine Nekritz, Deborah L. Graham, Sara Feigenholtz, Eddie Washington, Charles E. Jefferson, Michelle Chavez, Maria Antonia Berrios, Sandra M. Pihos, Patricia R. Bellock, Sidney H. Mathias, Kevin A. McCarthy, James D. Brosnahan, Richard T. Bradley and Edward J. Acevedo)

30 ILCS 105/5.640 new

430 ILCS 125/10

430 ILCS 125/15

430 ILCS 125/17 new

430 ILCS 125/20

430 ILCS 125/25

430 ILCS 125/27 new

430 ILCS 125/30

Amends the State Finance Act and the Children's Product Safety Act. Provides that a "children's product" is one designed or intended for children under age 12 (instead of 6); changes and adds other definitions. Provides that a children's product is deemed to be unsafe "only" if it meets certain specified criteria. Adds requirements concerning the Department of Public Health's list of unsafe children's products. Makes changes concerning safety standards for baby cribs. Imposes duties on manufacturers, importers, wholesalers, and distributors in connection with recalls of children's products. Provides for civil penalties for violations of the Children's Product Safety Act, and removes a provision making a violation a Class C misdemeanor. Provides that nothing in the Act relieves a commercial dealer from compliance with stricter requirements that may be imposed by an agency of the federal government. Adds enforcement powers of the Attorney General. Creates the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund; provides for the deposit of civil penalties into the fund and for the use of moneys in the fund by the Attorney General. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

430 ILCS 125/10

Adds reference to:

430 ILCS 125/15

Adds reference to:

430 ILCS 125/17 new

Adds reference to:

430 ILCS 125/20

Adds reference to:

430 ILCS 125/25

Adds reference to:

430 ILCS 125/26 new

Adds reference to:

430 ILCS 125/27 new

Adds reference to:

430 ILCS 125/30

SB 00526 (CONTINUED)

Replaces everything after the enacting clause. Amends the Children's Product Safety Act with provisions substantially similar to those of Senate Bill 526, but with changes that include the following: (1) provides that a "children's product" is one designed or intended for children under age 9 (instead of 12); (2) requires a manufacturer, importer, distributor, or wholesaler to place on its web site a link to recall or warning information that contains the specific recall notice or warning that was issued for the product in question (instead of a link to www.recalls.gov); (3) provides that the posting of a recall or warning notice by a retailer must be in each retail store; (4) provides that a commercial dealer, manufacturer, importer, distributor, wholesaler, or retailer shall not be found in violation of the provisions concerning unsafe children's products if the specific recalled product sold was not included on the Department of Public Health's list of unsafe children's products on the day before the sale (instead of providing that such a person who exercises reasonable care in acting pursuant to the Children's Product Safety Act is not in violation of any provision of the Act); (5) provides that nothing in the Children's Product Safety Act shall be interpreted to allow a unit of State or local government or any other entity within the State to issue recalls; (6) provides that nothing in the Children's Product Safety Act relieves a manufacturer, importer, distributor, wholesaler, or retailer (in addition to a commercial dealer) from compliance with stricter requirements that may be imposed by a federal agency; and (7) in provisions concerning enforcement of the Children's Product Safety Act by the Attorney General, (i) removes references to a person being "about to engage in" a practice in violation of the Act and (ii) removes provisions concerning the powers a court may exercise. Effective immediately, except provides that the changes in connection with penalties for violating the Children's Product Safety Act and in connection with enforcement of the Act take effect January 1, 2006.

Fiscal Note (S-AM1) (Department of Revenue)

This would increase State revenues. However, the Illinois Department of Revenue cannot predict the number of violations of the Act that will subject persons to the civil penalty and cannot determine the fiscal impact of this bill.

Fiscal Note (S-AM 1)(Department of Public Health)

Senate Bill 526 will have a minimal fiscal impact on the Illinois Department of Public Health.

May 03 05 S Passed Both Houses

SB 00528 Sen. M. Maggie Crotty

(Rep. Jim Sacia-Chapin Rose)

65 ILCS 5/10-2.1-6 from Ch. 24, par. 10-2.1-6

Amends the Illinois Municipal Code. Provides that the age limit applicable to persons seeking municipal employment in either a fire department or police department shall not apply to a person who has served as a sworn officer of the Illinois Department of State Police (this is an addition to a list of several other exemptions). Effective immediately.

May 05 05 S Passed Both Houses

SB 00533 Sen. Ira I. Silverstein

(Rep. William Davis)

805 ILCS 5/7.90 new

805 ILCS 5/12.56

Amends the Business Corporation Act of 1983. Provides that unless otherwise provided in the articles of incorporation, a shareholder who executes and delivers to the corporation a written instrument irrevocably waiving the right (i) to vote any shares held by such shareholder, whether for the election of directors or otherwise, (ii) to be a director or officer of the corporation, and (iii) in any other manner to control, directly or indirectly, corporate actions or the election or removal of any director or officer of the corporation, and who at the time of such waiver is not a director or officer of the corporation, shall have no fiduciary duty to the corporation or any of its shareholders arising out of the fact that such person is a shareholder of the corporation. Provides that the corporation shall give prompt notice of such waiver to the remaining shareholders, except that no such notice need be given by a corporation that has shares listed on a national securities exchange or regularly traded in a market maintained by one or more members of a national or affiliated securities association. Effective July 1, 2005.

May 05 05 S Passed Both Houses

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SB 00769

Sen. Deanna Demuzio-Dale A. Righter

(Rep. Roger L. Eddy-Jim Watson-Thomas Holbrook-Aaron Schock-Daniel V. Beiser, Naomi D. Jakobsson, Careen M. Gordon, Lisa M. Dugan, Kevin A. McCarthy, Richard T. Bradley, Gary Hannig, Annazette Collins, Kathleen A. Ryg, John E. Bradley, Jim Sacia, Karen May, Jack D. Franks, Linda Chapa LaVia and Robert F. Flider)

415 ILCS 120/10

415 ILCS 120/30

415 ILCS 120/31

Amends the Alternate Fuels Act. Provides that beginning July 1, 2005, owners of vehicles using domestic renewable fuel are eligible to apply for a fuel cost differential rebate. Provides that biodiesel blended fuel facilities may be included in the Alternate Fuel Infrastructure Program administered by the Department of Commerce and Economic Opportunity. Provides that "alternate fuel" includes, among other fuels, "80% bio-based methanol" (instead of "bio-based methanol"), fuels that are 80% (instead of 70%) derived from biomass, and hydrogen fuel. Provides that "domestic renewable fuel" includes, among other fuels, "80% bio-based methanol" (instead of "bio-based methanol") and 20% biodiesel fuel (instead of "fuels derived from bio mass"). Makes other changes. Effective immediately.

May 05 05 S Passed Both Houses

SB 01438

Sen. Kimberly A. Lightford-Jacqueline Y. Collins-Mattie Hunter-Donne E. Trotter

(Rep. Paul D. Froehlich)

20 ILCS 3927/25

Amends the Council on Responsible Fatherhood Act. Extends the repeal of the Act from July 1, 2005 to July 1, 2006. Effective immediately.

May 05 05 S Passed Both Houses

SB 01458

Sen. Dave Sullivan and Pamela J. Althoff

(Rep. Sara Feigenholtz-Naomi D. Jakobsson-Deborah L. Graham)

750 ILCS 50/18.05

Amends the Adoption Act. Provides for the establishment of an Adoption/Surrender Records File for adoptions filed according to the listed Section of the Vital Records Act under a Record of Foreign Birth that was not finalized by a court action in the State of Illinois. Provides that an established Adoption/Surrender Records File for an adoption filed in Illinois under a Record of Foreign Birth that was not finalized in a court action in the State of Illinois shall be limited to the following items submitted to the State Registrar of Vital Records under the listed Section of the Vital Records Act, to the extent that they are available: (1) evidence as to the child's birth date and birthplace (including the country of birth and, if available, the city and province of birth) provided by the original birth certificate, or by a certified copy, extract, or translation thereof or by other document essentially equivalent thereto (the records of the U.S. Immigration and Naturalization Service or of the U.S. Department of State to be considered essentially equivalent thereto); (2) a certified copy, extract, or translation of the adoption decree or other document essentially equivalent thereto (the records of the U.S. Immigration and Naturalization Service or of the U.S. Department of State to be considered essentially equivalent thereto); (3) a copy of the IR-3 visa; or (4) the name and address of the adoption agency that handled the adoption. Effective July 1, 2005.

May 05 05 S Passed Both Houses

SB 01483 Sen. Jeffrey M. Schoenberg
(Rep. Terry R. Parke-Thomas Holbrook)

| | |
|------------------|-------------------------------|
| 420 ILCS 40/4 | from Ch. 111 1/2, par. 210-4 |
| 420 ILCS 40/5 | from Ch. 111 1/2, par. 210-5 |
| 420 ILCS 40/6 | from Ch. 111 1/2, par. 210-6 |
| 420 ILCS 40/7 | from Ch. 111 1/2, par. 210-7 |
| 420 ILCS 40/7a | from Ch. 111 1/2, par. 210-7a |
| 420 ILCS 40/9 | from Ch. 111 1/2, par. 210-9 |
| 420 ILCS 40/10 | from Ch. 111 1/2, par. 210-10 |
| 420 ILCS 40/11 | from Ch. 111 1/2, par. 210-11 |
| 420 ILCS 40/11.5 | |
| 420 ILCS 40/12 | from Ch. 111 1/2, par. 210-12 |
| 420 ILCS 40/13 | from Ch. 111 1/2, par. 210-13 |
| 420 ILCS 40/14 | from Ch. 111 1/2, par. 210-14 |
| 420 ILCS 40/15 | from Ch. 111 1/2, par. 210-15 |
| 420 ILCS 40/16 | from Ch. 111 1/2, par. 210-16 |
| 420 ILCS 40/17 | from Ch. 111 1/2, par. 210-17 |
| 420 ILCS 40/18 | from Ch. 111 1/2, par. 210-18 |
| 420 ILCS 40/19 | from Ch. 111 1/2, par. 210-19 |
| 420 ILCS 40/20 | from Ch. 111 1/2, par. 210-20 |
| 420 ILCS 40/21 | from Ch. 111 1/2, par. 210-21 |
| 420 ILCS 40/22 | from Ch. 111 1/2, par. 210-22 |
| 420 ILCS 40/23 | from Ch. 111 1/2, par. 210-23 |
| 420 ILCS 40/24 | from Ch. 111 1/2, par. 210-24 |
| 420 ILCS 40/24.5 | |
| 420 ILCS 40/24.7 | |
| 420 ILCS 40/25 | from Ch. 111 1/2, par. 210-25 |
| 420 ILCS 40/25.1 | |
| 420 ILCS 40/25.2 | |
| 420 ILCS 40/26 | from Ch. 111 1/2, par. 210-26 |
| 420 ILCS 40/27 | from Ch. 111 1/2, par. 210-27 |
| 420 ILCS 40/28 | from Ch. 111 1/2, par. 210-28 |
| 420 ILCS 40/29 | from Ch. 111 1/2, par. 210-29 |
| 420 ILCS 40/30 | from Ch. 111 1/2, par. 210-30 |
| 420 ILCS 40/31 | from Ch. 111 1/2, par. 210-31 |
| 420 ILCS 40/32 | from Ch. 111 1/2, par. 210-32 |
| 420 ILCS 40/33 | from Ch. 111 1/2, par. 210-33 |
| 420 ILCS 40/34 | from Ch. 111 1/2, par. 210-34 |
| 420 ILCS 40/35 | from Ch. 111 1/2, par. 210-35 |
| 420 ILCS 40/36 | from Ch. 111 1/2, par. 210-36 |
| 420 ILCS 40/37 | from Ch. 111 1/2, par. 210-37 |
| 420 ILCS 40/38 | from Ch. 111 1/2, par. 210-38 |
| 420 ILCS 40/39 | from Ch. 111 1/2, par. 210-39 |
| 420 ILCS 40/40 | from Ch. 111 1/2, par. 210-40 |

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SB 01483 (CONTINUED)

420 ILCS 40/43 from Ch. 111 1/2, par. 210-43

420 ILCS 40/44 from Ch. 111 1/2, par. 210-44

420 ILCS 40/45

420 ILCS 40/49

Amends the Radiation Protection Act of 1990. Changes references in the Act from the "Department of Nuclear Safety" to the "Illinois Emergency Management Agency". Provides for the Illinois Emergency Management Agency to issue a violation abatement order if an examination of records causes the Agency to believe there has been a violation of the Act or any rules or regulations promulgated under the Act. Effective immediately.

May 05 05 S Passed Both Houses

SB 01637 Sen. Christine Radogno

(Rep. Eileen Lyons-Paul D. Froehlich-Patricia R. Bellock)

10 ILCS 5/28-2 from Ch. 46, par. 28-2

Amends the Election Code. Provides that when the secretary or clerk of the political subdivision provides the form for a back door referendum petition, the legal sufficiency of the form cannot be the basis for a challenge to placing the referendum on the ballot. Effective immediately.

May 03 05 S Passed Both Houses

SB 01645 Sen. Kirk W. Dillard-John O. Jones and Martin A. Sandoval

(Rep. Ruth Munson-Constance A. Howard-Milton Patterson-Karen A. Yarbrough-Linda Chapa LaVia, Edward J. Acevedo, Kathleen A. Ryg, Annazette Collins and Aaron Schock)

30 ILCS 265/10

30 ILCS 265/20 new

Amends the Technology Development Act. Creates a Technology Development Fund for use by the State Treasurer in paying the expenses of investments from the Technology Development Account. Permits the State Treasurer to use any excess for grants to schools to buy computers and to upgrade technology. Permits the State Treasurer to deposit up to 10% of the earnings on Account investments into the Fund. Effective immediately.

May 05 05 S Passed Both Houses

SB 01649 Sen. John M. Sullivan

(Rep. Kevin A. McCarthy)

605 ILCS 5/6-205 from Ch. 121, par. 6-205

605 ILCS 5/6-410 from Ch. 121, par. 6-410

605 ILCS 5/9-107 from Ch. 121, par. 9-107

Amends the Illinois Highway Code. Deletes language providing that a road district treasurer must have the written approval of the county superintendent of highways or the highway board of auditors in order to approve payment on several orders of \$5,000 or less pertaining to a single project or transaction. Deletes language providing that the county superintendent of highways must approve certain payments by a highway commissioner for road construction or repair. Effective immediately.

May 05 05 S Passed Both Houses

SB 01799 Sen. Peter J. Roskam and Gary G. Dahl

(Rep. Sidney H. Mathias-Paul D. Froehlich-Lisa M. Dugan-Kevin A. McCarthy-Daniel V. Beiser, Careen M Gordon, Jack D. Franks, Linda Chapa LaVia and Ruth Munson)

20 ILCS 2505/2505-680 new

Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Requires the Department of Revenue to notify an individual if the Department discovers or reasonably suspects that another person has used that individual's social security number. Effective immediately.

May 05 05 S Passed Both Houses

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SB 01826 Sen. Mike Jacobs and Edward D. Maloney
(Rep. Daniel J. Burke)

65 ILCS 5/7-1-13 from Ch. 24, par. 7-1-13

70 ILCS 1205/8-1.1 new

Amends the Illinois Municipal Code. Provides that an unincorporated territory containing 60 acres or less may be annexed by any municipality that shares a boundary, in whole or in part, with the territory under several circumstances including, if the unincorporated area is bounded by one or more municipalities and a forest preserve district or a park district (now, forest preserve district). Provides that nothing in the Section shall be construed as permitting a municipality to annex territory that is owned by a park district without obtaining the district's express consent as provided in the Park District Code. Amends the Park District Code. Provides that a park district's property shall not be subject to annexation by a municipality without the express consent of the board of park commissioners. Effective immediately.

May 05 05 S Passed Both Houses

SB 01882 Sen. Edward D. Maloney-M. Maggie Crotty-Martin A. Sandoval and Pamela J. Althoff
(Rep. Sidney H. Mathias-Harry Osterman-James D. Brosnahan)

75 ILCS 5/5-5 from Ch. 81, par. 5-5

75 ILCS 16/40-45

Amends the Illinois Local Library Act and the Public Library District Act of 1991. Provides that certain contracts in excess of \$20,000 (now, \$10,000) must be let by competitive bidding. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

60 ILCS 1/85-30

Adds reference to:

65 ILCS 5/4-5-11

from Ch. 24, par. 4-5-11

Adds reference to:

65 ILCS 5/8-9-1

from Ch. 24, par. 8-9-1

Adds reference to:

605 ILCS 5/6-201.7

from Ch. 121, par. 6-201.7

Amends the Illinois Municipal Code. Provides that in municipalities that are governed by the commission form of municipal government that certain contracts in excess of \$20,000 (now, \$10,000) must be let by competitive bidding. Provides that in municipalities of less than 500,000 inhabitants that certain contracts in excess of \$20,000 (now, \$10,000) must be let by competitive bidding. Amends the Township Code. Provides that in townships that certain contracts in excess of \$20,000 (now, \$10,000) must be let by competitive bidding. Amends the Illinois Highway Code. Provides that certain contracts that are entered into by a highway commissioner of a road district that are in excess of \$20,000 (now, \$10,000) must be let by competitive bidding.

May 05 05 S Passed Both Houses

SB 01960 Sen. Jeffrey M. Schoenberg
(Rep. Elizabeth Coulson-Kathleen A. Ryg-Kevin Joyce-David E. Miller)

720 ILCS 5/12-21.7 new

Amends the Criminal Code of 1961. Prohibits the sale of yo-yo waterballs in the State. Provides that a violation is a business offense punishable by a \$1,001 fine for each violation. Provides that each sale of a yo-yo waterball is a separate offense.

May 05 05 S Passed Both Houses

SB 02062 Sen. Dale A. Richter-Louis S. Viverito

(Rep. Joseph M. Lyons-Roger L. Eddy-David Reis-Jack D. Franks-Kevin Joyce, Jerry L. Mitchell, Jack McGuire, John D'Amico, Dan Reitz, JoAnn D. Osmond, Patricia R. Bellock, Daniel V. Beiser, Brandon W. Phelps, Patrick J. Verschoore, Kathleen A. Ryg, Annazette Collins and Linda Chapa LaVia)

320 ILCS 42/35

Amends the Older Adult Services Act. Provides that the Director of Aging, in collaboration with the Directors of Public Health and Public Aid, may appoint additional citizen members to the Older Adult Services Advisory Committee. Provides that these additional members must be either an individual age 60 or older or an uncompensated caregiver for a family member or friend who is age 60 or older. Effective immediately.

May 10 05 S Passed Both Houses

SB 02090 Sen. Kimberly A. Lightford
(Rep. Karen A. Yarbrough-Deborah L. Graham-Calvin L. Giles-Marlow H. Colvin-Cynthia Soto and Richard T. Bradley)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

730 ILCS 5/5-4-1 from Ch. 38, par. 1005-4-1

Amends the Unified Code of Corrections. Provides that when the court's sentencing order recommends a prisoner for substance abuse treatment and the crime was committed on or after September 1, 2003, the prisoner shall receive no good conduct credit for meritorious service unless he or she participates in and completes a substance abuse treatment program. Provides that a prisoner on a waiting list to participate in and complete a substance abuse program prior to release may be eligible for a waiver and receive good conduct credit for meritorious service at the discretion of the Director. Effective immediately.

May 10 05 S Passed Both Houses

SB 02103 Sen. Todd Sieben
(Rep. Jim Sacia-David Reis-Patricia R. Bellock)

740 ILCS 130/5

Amends the Premises Liability Act. Provides that the immunity for an owner or operator of a firearm range extends to the owner or operator of a range in which an occupied permanent dwelling on adjacent property was built within 1,000 yards from an area of the range from which a firearm may be properly discharged if the dwelling was built after the range began its operation. Effective immediately.

May 03 05 S Passed Both Houses

SB 02112 Sen. Deanna Demuzio-Martin A. Sandoval
(Rep. Kevin A. McCarthy-Paul D. Froehlich-James D. Brosnahan-Kevin Joyce-Richard T. Bradley, Robert W. Pritchard, William B. Black, Jack D. Franks and Linda Chapa LaVia)

110 ILCS 805/2-1 from Ch. 122, par. 102-1

110 ILCS 805/2-2 from Ch. 122, par. 102-2

Amends the Public Community College Act. Provides that beginning on July 1, 2005, one of the 11 members appointed to the Illinois Community College Board by the Governor must be a faculty member at an Illinois public community college. Effective July 1, 2005.

Senate Floor Amendment No. 1

Beginning on July 1, 2005, requires one of the members of the Illinois Community College Board appointed by the Governor to be a member of the board of trustees of a public community college district. Provides that the Board membership requirements apply only to the Illinois Community College Board and shall have no effect on the membership of the board of trustees of a community college district. Provides that no member of the Board shall hold current membership on a school board or board of trustees of a public or non-public university or technical institute (now, a public or non-public college, university, or technical institute).

May 10 05 S Passed Both Houses